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# **PANDIT MOTILAL NEHRU:**

## **His Life and Work**

CONTAINING A BRIEF SKETCH OF HIS LIFE AND CAREER, THE  
SCENES AT HIS FUNERAL AND LAST RITES, HIS LAST  
PRESIDENTIAL ADDRESS AT THE CALCUTTA CON-  
GRESS, IMPORTANT SPEECHES, FULL TEXT OF  
THE NEHRU CONSTITUTION, ETC., ETC.,  
WITH NUMEROUS ILLUSTRATIONS.

AND

### **A FOREWORD**

BY

**Prof. DEVAPRASAD GHOSH, M.A., D.L.**

EDITED AND COMPILED

BY

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**THIRD EDITION**

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## PREFACE

We beg to lay before the public the following pages which contain a brief sketch of the life and career of late Pandit Motilal Nehru, one of the greatest of our leaders, whose death at this crisis of our national life has plunged the whole of India in the deepest mourning. This book contains further a full account of the last scenes, the funeral procession and the last rites, Panditji's Presidential address at the Calcutta Congress, held in 1928, and tributes from leading men. It also contains the full text of the constitution for India drafted in the Nehru Report. The book is also profusely illustrated on art paper and our heart felt thanks are due to the "Ananda Bazar Patrika" for having supplied us with blocks for the purpose. We have taken pains carefully to compile and edit the following pages from the various papers and publications which contained notices of our departed leader, to all of whom we hereby acknowledge our obligation and indebtedness.

We also thank our esteemed friend Prof. Deva-prasad Ghosh, M.A., B.L., the distinguished scholar and public man for having kindly written a foreword to this publication.

We can only hope that this attempt of ours to supply in the handy form a brief account of the life and work of Pandit Motilal will meet with encouraging response at the hands of our countrymen.

FEBRUARY, 20, 1931, }  
CALCUTTA. }

EDITORS.

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## **PREFACE TO THE SECOND EDITION**

It has been very gratifying to us to find that our efforts to place the life and career of our departed leader, the late Pandit Motilal Nehru, in a brief compass, in the hands of our countrymen, have met with a most encouraging response. In barely six weeks' time the copies of the first edition have been entirely exhausted, and we have taken this opportunity, in the second edition, to make the life sketch of Panditji more exhaustive by incorporating in it much new material. We hope the book in this present edition will be still more useful to the public and will continue to meet with encouragement at their hands.

20TH, APRIL, 1931, }  
CALCUTTA. }

EDITORS.

## **PREFACE TO THE THIRD EDITION**

In the present edition the book has been thoroughly revised. The Editors have taken this opportunity, in the third edition, to make the work more exhaustive by incorporating more materials. Some of the most important speeches of Panditji reiterating India's National Demand for full Self-Government have been added in this edition, which will prove of much interest to the students of Indian politics.

20TH FEBRUARY, 1934, }  
CALCUTTA. }

EDITORS

## FOREWORD

The death of Pandit Motilal Nehru has removed from our midst a towering personality. Though his active participation in public life dates from a comparatively recent period, yet during this short dozen years or so he succeeded in creating for himself a unique position. In this meteoric rise to the supreme leadership of the affairs of the nation, the only parallel in recent years has been Deshabandhu Das, whose sudden demise the nation had to mourn barely six years ago.

What is most remarkable about Pandit Motilal's career and personality is the curious amalgam of contraries that has characterised them. By training and temperament a most level-headed man, a confirmed moderate in politics till well past his middle age, yet in the closing years of his career almost an inflexible revolutionary—an aristocrat to his finger-tips, an aristocrat in the best sense of the word, in family traditions, in culture, in character, yet the undisputed and universally beloved leader of the most democratic mass-movement in India's history—an intellectual sceptic, brilliant lawyer, a successful man of the world, essentially modern in outlook, with a keen appreciation and thorough enjoyment of the good things of this world, yet in the evening of his life a most ardent disciple of Mahatma Gandhi with his rigorously



ascetic and almost mediæval outlook on life and affairs, and ultimately his most stalwart lieutenant—these are the remarkable contraries that make up the wonderful career of this prince among men. And whosoever would understand Pandit Motilal must solve this riddle and get down to the inner soul of the man which harmonized this manifold variety.

As to the reactions on our public life—the disastrous reactions—of his death at this precise moment, in the very crisis of India's struggle for freedom, it were idle to expatiate. I think there was only one other death equally tragic, equally untimely—and the death of one equally distinguished, equally the idol of India's millions—I mean the death of Lokamanya Tilak, which was comparable in its consequences. The death of Bal Gangadhar Tilak in August, 1920, just when the new Constitutional Reforms were impending, and on the very eve of the non-co-operation movement, was a disaster whose magnitude it were difficult to fathom even now. But for Lokamanya's disappearance from the arena of Indian politics at that critical hour, India's history for the past ten years might have been differently written. And now, to-day in 1931, when India stands at the threshold of a new chapter of her destiny, and requires the unstinted services of her ablest sons in giving shape and form to that chapter, disappears Pandit Motilal Nehru—the one man who by virtue of his wide knowledge of men and affairs, his political sagacity, his ardent patriotism, and the supreme esteem in which he was held by his countrymen, might have been expected to be able to shape that chapter after India's aspirations.

Inscrutable are the ways of Providence, and it were idle for mere man to question or carp or complain. Our only consolation lies in the thought that He alone knows what is best for us : and our only prayer can be

“THY WILL BE DONE.”

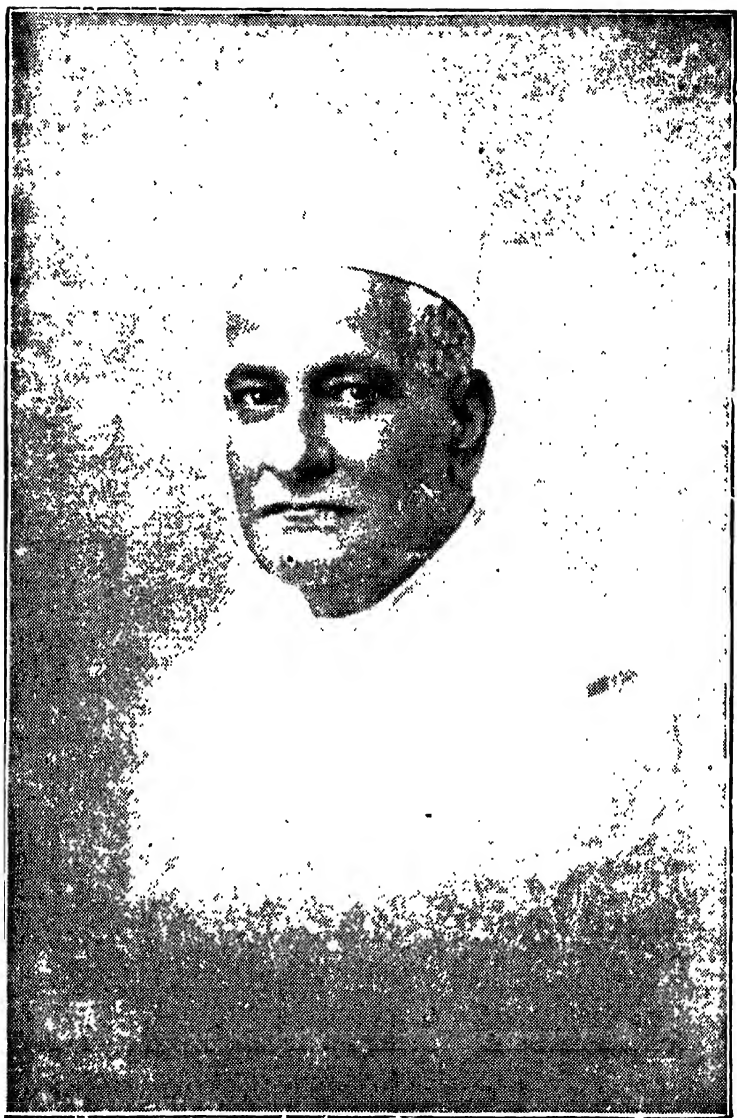
FEBRUARY 8, 1931, }  
CALCUTTA. }

DEVAPRASAD GHOSH.

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Born 1861.

PANDIT MOTILAL NEHRU.

Died 1931.

*Pandit Motilal Nehru  
1 College Row, Calcutta*

I

**Birth and Early Life.**—Pandit Motilal Nehru was born at Delhi, on May 6, 1861. He was the son of Pandit Gangadhar Nehru who had been a Kotwal and died a few months before Motilal was born. His forefathers migrated from Kashmir to British India. The Kashmiri Brahman community to which he belonged numbered about 5,000 in British India. Motilal was brought up under the loving care of his brother Pandit Nandalal Nehru, who had been at that time practising as a Vakil at Delhi.

Motilal was educated in the Muhammadan Mukhtabs till the age of twelve and acquired a good working knowledge of Persian and Arabic. Afterwards he joined the Government High School at Cawnpore and passed the Entrance Examination in the first division. At the Muir Central College, Allahabad, where he underwent his collegiate course, he was a favourite student of the eminent educationist, Principal Harrison; and among his fellow-students at College were Sir Sundar Lal and Pandit Madan Mohan Malaviya. Pandit Nehru, however, did not appear for the B. A. Examination, having already chosen Law as his profession and in the short period of three months which he devoted to the study of Law he attained efficiency enough to appear for the High Court Examination and to top the list of the successful candidates.

**Marriage.**—He married in the year 1882 Srijukta Swarup Rani Devi. Swarup Rani was the daughter of an orthodox and pious Brahman. She was a gifted and accomplished lady, and proved herself a worthy mate of her distinguished husband. Their conjugal life was a happy one. Pandit Jawahar Lal Nehru is their only son and Mrs. Bijoy Lakshmi Pandit and Miss Krishna Nehru are the two daughters.

**As Leader of the Bar.**—In 1883 Pandit Nehru began his practice as a Vakil at Cawnpore where, within the short period of three years, he built up a good practice and secured a wide *clientele*. Among the friends that he made at that station was Pandit Prithvi Nath, a leading Vakil who had very great admiration for the ambitious young man. Partly under his advice, partly dissatisfied with remaining a mere local success at Cawnpore, Motilal joined the High Court Bar at Allahabad where within five or six years he reached a prominent place. The High Court enrolled him soon after as an Advocate and for long years he continued as one of the veteran lawyers of Northern India, appearing in almost every famous and costly litigation till he left, at the call of Non-Cooperation, his high place of leadership at the Bar to serve his country. As a lawyer, Pandit Motilal was famous for the strength and directness of his advocacy; and as a champion of the people's cause he had, even before he had joined the Non-Cooperation movement, built himself a name. The courage with which he fought for the freedom of the Press and liberty of speech, undeterred by the frowns of

office and uninfluenced by the admonitions of office-seekers, had already marked him out as the leader of his Province in all matters that concerned the people's good.

## II

**Political Career.**—Pandit Motilal entered active politics rather late in life. It was only in 1907, when he was forty-six years of age, that he took a leading part in a notable public function, by presiding over the U. P. Provincial Conference held at Allahabad; but even then he did not come into much prominence outside his province. He was content to remain a humble camp-follower in the Moderate party, of which Sir Surendra Nath Banerjea, Sir Pheroze Shah Mehta, Mr. Gopal Krishna Gokhale were the shining lights.

**Morley-Minto Reforms.**—On the inauguration of the Morley-Minto reforms in 1909 he thought fit to participate more actively in public life, and became a member of the United Provinces Legislative Council. In the Council Chamber as well as in the several Committees in which he acted, his record, as might have been expected, was that of a thoroughly independent man, and he was always a severe critic of the administration. He was uncompromising in his attitude, once he was convinced of the correctness of his position, undeterred alike by public censure and official disfavour. Some instances of his fearless attitude may here be given. When the Jehangirabad Amendment relating to communal representation came up for discussion before the Council, he boldly



spoke out his mind although the Opposition included such names as Pandit Madan Mohan Malaviya and although the Press and the public in one accord were loud against him. He was convinced of the supreme need of effecting the reconciliation of the Muhammadan with the Hindu so that both might feel that they were Indians first and Hindus or Muhammadans only afterwards. Indeed, it was his noble and generous attitude in the matter of the Muslim demand for separate and even proportionately excessive representation in the government of the country that served to bring about a cessation of the frequent Hindu-Muslim feuds and paved the way for a happy *rapprochement* between the two communities in his province.

Another incident that showed the man's mettle happened in the October Session of the U. P. Legislative Council in 1917. Sir James Meston (as he then was) presided. The Pandit moved a resolution conveying to the Government the censure of the House regarding the conduct of Principal Wood of the Roorkee College in indulging in unwarranted aspersions on the character of Indians and he made a short speech on the occasion. The official Secretary referred to a letter of regret from Mr. Wood which, however, was not satisfactory as an apology. A debate thereupon ensued and Sir James Meston in the end hastily wound up the proceedings and put the resolution to the vote without giving the Pandit an opportunity to have his final word in reply. Pandit Nehru's appeal to the President was in vain. When

he realised that his rights were thus overlooked, the Pandit got up, told the President that he could not remain in the House and see his fundamental rights as a member thereof trampled under foot and left the Council Hall forthwith. And it taxed all the diplomatic skill of the Governor as well as the friendly persuasions of Sir Sundar Lal (one of his staunch friends since their days at the Muir Central College) to prevail upon him to return to the Council.

**Home Rule Movement**—In this manner, Pandit Motilal went on fighting for people's rights and against bureaucratic vagaries in the Legislative Council. But a more strenuous fight was impending, and that was ushered in by the Home Rule movement started by Mrs. Annie Besant in 1916. The whole world was then in the throes of the Great War and the fate of nations was hanging in the balance. It was at this fateful moment that Mrs. Besant started a whirlwind campaign for the assertion of India's right to self-determination and Home Rule. All the high-sounding professions of Britain and the Allied Powers, viz. that the War was being waged for the cause of freedom, for the cause of down-trodden peoples, for the cause of self-determination, etc., notwithstanding, the Government in India reacted to this movement by launching upon a campaign of severe repression, culminating in the internment of Mrs. Besant herself.

The whole country was astir, and it could not leave Pandit Motilal untouched. Though at the time he was a recognized Moderate and was one of the

Directors of the *Leader*, a moderate newspaper published from Allahabad, he felt his moderation giving way under the pressure of events; and he joined heart and soul in the Home Rule movement. On account of his commanding position at the Bar, Panditji very soon came to the forefront in the Home Rule movement, which also drew into active politics another great leader of the Bar, the late Mr. C. R. Das of Bengal. As a result of his coming into prominence as a Home Rule leader, he was elected President of the Special Session of the Provincial Conference.

The address he delivered on that occasion is memorable as one of the finest indictments of the policy and programme of repression carried out by the Government. The *Pioneer* enraged at the boldness of the address, conferred on him the title of "Brigadier-General of the Home Rule League."

**As a Journalist.**—It was about this time that he withdrew from the directorate of the *Leader* and became the Chairman of the Board of Directors owning the new nationalist daily, the *Independent*. The mission of the new paper was admirably set out by him in an early issue :—

Two ideals rule the world. Two realities strive for mastery. The ideal and reality of Spartacus, the reality and ideal of Epictetus. The one breaks his chains and the other bares his soul.

The *Independent* has come into existence to lay bare the soul of a nation, of a people ripening into nationhood, of communities merging into a people, of individuals growing into a commu-

## LIFE AND WORK

nity. How shall it approach its noble work?  
Or better still how not?

Not along the facile line of opportunism, the fatal line of least resistance which stifles the soul and perverts the mind. Not by methods of cabal, camera and camarilla which bring no lasting good and help and only distort the outlook.

But by bringing the fierce light of day to play on dark spots wherever they exist. By giving expression to the plain expressions of the plain mind in plain language. By striving to press home the eternal truth that while on the one hand natural rights of mankind cannot be withheld to be doled out in little bits with a consciousness of high-minded generosity and a benignly benevolent purpose, those rights can not on the other hand thrive in an atmosphere of religious cleavage and racial antagonism.

Thus alone can the *Independent* fulfil its mission and join President Wilson in saying: "The select classes of mankind are no longer the governors of mankind. The fortunes of mankind are now in the hands of the plain people of the whole world."

In conducting the *Independent*, Pandit Motilal had to incur considerable financial loss and he did it willingly as he was conscious how necessary such a paper was for the education and progress of his country towards the goal of self-government.

**Declaration of 1917.**—The Home Rule agitation

caused a great perturbation in England coming as it did in the midst of the Great War; and the British Cabinet felt it incumbent to allay the Indian unrest by a definite declaration of British policy in India; and thus came about the famous announcement of Mr. Montagu, the Secretary of State for India, on the 20th August, 1917, declaring the ultimate goal of British policy in India to be the progressive realization of responsible Government in India.

This historic announcement was hailed with great relief and delight in political circles in India; particularly as it was accompanied with the withdrawal of repressive measures against the Home Rule movement, and the release of Mrs. Annie Besant herself. Mrs. Besant received a great ovation by being called upon to preside over the deliberations of the Indian National Congress at Calcutta. Mr. Montagu, the Secretary of State for India, himself came out in the winter of 1917-18 to India to see for himself the conditions in India, and to consult the leaders of Indian opinion. All these activities and gestures, which led people to think that Britain was at last earnest in her pledges brought about a great improvement in the Indian political situation; and the quarrel that had been going on between the Extremist and Moderate politicians for the preceding decade was temporarily suspended. Already in 1916, the Indian National Congress, which had been since the unfortunate Surat split in 1907, under the exclusive control of the Moderates, had been thrown open to the extremists; and this *rapprochement* took place in Lucknow. Then

at the Calcutta Congress of 1917, although the Moderate leaders demurred at first to the election of Mrs. Besant, the Home Rule leader, as President, still ultimately the differences were made up, and it was Sir Surendranath Banerjea, the great Moderate leader, who actually, in the open Congress, proposed Mrs. Besant to the chair.

**The Internments.**—This improvement in the relations between political India and Britain, and between the two wings of political India herself, was not however destined to last long. For though Mrs. Besant had been released from internment, there were many others numbering over a thousand, including the Ali Brothers who still remained interned under the Defence of India Act, a piece of War legislation. There were many other incidents, like the Komagata Maru Incidents, gun-running Bengal revolutionaries, etc. and consequent repression, that had been taking place all these war years which produced a great bitterness and tension in public feelings; and even while gestures of conciliation were being made by the British Cabinet, tales of torture and oppression practised upon the internees trickled from behind the prison-bars and kept up the bitterness. So the atmosphere of suspicion of Britain's real motives was not altogether dissipated.

**Montagu-Chelmsford Report.**—It was in this atmosphere of mingled hope and distrust that the Montagu-Chelmsford Report made its appearance in July, 1918; and at once there was a great chaos and a parting of ways. That Report was felt to be a

disappointing document by all parties ; but while the Moderates felt that though the Report was not as good as might have been expected, still it represented a great improvement upon the previous state of things, and therefore the Reforms when put into operation should be worked ; the Extremist wing held that the Reforms proposed in the Report were thoroughly inadequate, unsatisfactory and disappointing and should be regarded as utterly unacceptable. As a result of this serious schism, the Congress which the Extremists were only allowed to enter at Lucknow in 1916 ; and which was to some extent dominated by them at Calcutta in 1917, came henceforth to be exclusively controlled by them ; and the year 1918 marks the definite secession of the Moderates as a body from the Indian National Congress.

### III

**The Rowlatt Acts.**—The year 1918 marked also the end of the great World-war in which Britain and the Allied Powers came out victorious. In India however the end of the War was followed by rather unexpected developments. The Defence of India Act which was a War measure, and under which numerous persons had been interned as mentioned above, was due to expire after six months from the termination of the War. But the Government decided to keep up these extraordinary powers in order to suppress the revolutionary movement. Accordingly a committee was formed with Mr. Justice Rowlatt as President, which after investigating into the revolu-

tionary activities in India came out with a report, recommending among other things internment without trial. Two Bills based on the Rowlatt report were introduced in the Imperial Legislative Council, and despite all opposition were passed into law on the 18th March, 1919.

The Moderate leaders headed by Sir Surendranath Banerjea opposed the passage of the Bills tooth and nail in the Imperial Legislative Council, and when the Government rode roughshod over all opposition, they walked out of the Council Chamber in protest. Meanwhile the feeling in the country against the Rowlatt Acts was intense. They were dubbed the "Black Acts." This determination on the part of the British authorities to arm themselves with most drastic War powers to put down popular movements, after all their tall talk about the war for freedom and self-determination and so forth, came as a profound shock, and greatly added to the volume of distrust and discontent already produced in the country by the halting and half-hearted nature of the Montagu-Chelmsford Report.

**Satyagraha Movement.**—And this immense popular discontent found a most powerful leader in Mahatma Gandhi, who had returned to India on the eve of the Great War with all the prestige of his South African triumph. Mahatma Gandhi preached that since all the protests from Moderate leaders like Sir Surendranath were unavailing to move the stony hearts of the Bureaucracy, the only method left to an unarmed people was the adoption of *Satyagraha* and



civil resistance. He enunciated the following vow of *Satyagraha* :

Being conscientiously of opinion that the Bills are unjust, subversive of the principles of liberty and justice, and destructive of the elementary rights of individuals on which the safety of the community as a whole and the state itself is based, we solemnly affirm that in the event of these Bills becoming law and until they are withdrawn we shall refuse civility to obey these laws and we further affirm that in the struggle we will faithfully follow the truth and refrain from violence to life, person, or property.

Pandit Motilal Nehru and Mr. C. R. Das were among the foremost to take up the Satyagraha vow and join the banners of Mahatma Gandhi in the strenuous fight against the Rowlatt Acts. There was a whirlwind campaign throughout the length and breadth of the country against these measures. The movement was strong everywhere, but the intensity was at its highest pitch in the Punjab.

**Outbreak in the Punjab.**—The Punjab was particularly affected because the brunt of the war had fallen upon the Punjabees. Lakhs of soldiers had been recruited and crores of rupees as war-loans had been raised almost at the point of the bayonet under the "thorough" regime of Sir Michael O'Dwyer. There had besides been great bitterness of feeling over the Komagata Maru incidents and the *Ghadar* conspiracy cases in which mainly Punjabee Sikhs

were involved. On the top of all this came the Black Bills. Naturally the commotion in the Punjab was great.

The 30th March, 1919, was fixed by Mahatma Gandhi as a day of all-India *hartal* as a protest against the Black Acts. On that day there was unique demonstration in Delhi, when Swami Shraddhananda mounted the pulpit of the great Jumma Musjid, and preached the necessity of a united Hindu-Muslim fight against the Government. The feelings of the Muslims, too, had been strained to the breaking point on account of the attitude of Britain and Allied Powers towards Turkey. This united Hindu-Muslim demonstration however led to great rioting and blood-shed owing to clash with the Government forces on the 30th March. There were similar incidents though on a minor scale, in some other places in the Punjab and elsewhere.

Mahatma Gandhi was very much pained to hear of these violent out-breaks, for non-violence was the very essence of his *Satyagraha*. He started from Ahmedabad on a visit to Delhi and the Punjab. But the Government did not allow him to go to Delhi; he was stopped at Kosi-Kalan station and turned back. This interference with Mahatma Gandhi's movements lighted the spark to the already explosive situation in the Punjab.

Already on the 29th March, Government had passed an order on Dr. Satyapal at Amritsar forbidding him to speak in any meeting.

The next day was the day of All-India Hartal.

The Punjab groaning under the oppression of the war drain observed the Hartal with more than usual solemnity. All day the city of Amritsar looked like a deserted city. In the afternoon there was a mammoth meeting. About 35,000 persons under the leadership of Dr. Kitchlew took the vow of *Satyagraha*.

Then came the day of *Ramanavami*—a day which will be ever memorable in the history of India as one of the darkest days of British rule. May be India will see better days but the glorious blaze of those days will not be able to remove the darkness of this memorable day of suffering and humiliation.

On that day in the city of Amritsar a great procession was led out by Dr. Satyapal and Dr. Kitchlew. It was the procession of *Ramanavami* but it turned into a national demonstration—the Muslims came and stood by the Hindus.

The Hindus and Muslims united in a national festival—this was too much for Sir Michael O'Dwyer. He saw that his house of cards was shaking in the wind and was about to fall down. The leaders of the procession, Dr. Satyapal and Dr. Kitchlew, were at once arrested on a charge of sedition; the Governor passed on them the sentence of deportation and the Deputy Commissioner took them to his own bungalow and from there sent them in a car to an unknown destination.

Immediately this news was circulated in the town, people in thousands came to join the procession and proceeded towards the bungalow of the Deputy Commissioner in order to petition for the release of

the popular leaders. As soon as the procession reached the Railway over-bridge an armed force obstructed its progress and after calling upon it to disperse opened fire on it. This led to serious rioting. Several banks were burnt down and looted ; several Government buildings were demolished and many Europeans were assaulted or murdered.

At various other places too in the Punjab similar riots broke out ; railway lines were torn up, telegraph wires cut, and there was widespread disturbances. And Amir Amanulla of Afghanistan declared war and his troops were on the move.

**Jallianwalabagh Massacre.**—Deeming the situation serious, the Government declared Martial law in the Punjab.

On the 11th of April Sir Michael handed over the government of Amritsar to the Military. On the 12th, General Dyer encamped at Ram Bagh in Amritsar.

In the morning of the 13th April General Dyer made a proclamation in Amritsar to the effect that both in the town and in the suburbs not more than four persons would be allowed to assemble together in the streets or any public places. Simultaneously with this proclamation it was proclaimed by the leaders that at 4 p. m. on that very day a mass meeting would be held in Jallianwala Bagh.

Jallianwala Bagh is a piece of fallow land surrounded by walls with only one narrow entrance. The meeting was held at the appointed hour. At 5 p. m. General Dyer arrived at the place of the meeting with 25 Gurkhas, 25 Sikh riflemen, 40 Pathans and

two armoured cars. He drew up the ninety soldiers at the entrance and ordered them to open fire. 1660 shots were fired at the meeting and the assembled people were less than two thousand in number. No one was warned before opening the fire and no attempt was made to disperse the crowd. With the opening of the fire the mob ran away in terror; those who attempted to scale the wall were the first to be shot down; those who attempted to escape through the narrow entrance were heavily fired at. There was a veritable massacre.

Martial law atrocities were not confined to Amritsar alone; Lahore, Gujranwala and Malianwala also shared the same fate. The Punjab was in the grip of the martial law for several weeks. Almost all the nationalist leaders were sentenced to death or to transportation for life with forfeiture of property.

The accounts of the sufferings and insults undergone by the people of Punjab reached every corner of India in spite of rigid censorship. Dr. Rabindranath Tagore renounced his kinghood as a protest against these inhumanities. The disproportionate severity of the punishment inflicted upon a disarmed people gave a shock to the firm faith that some people still had in our rulers' sense of justice and good government. It revealed to the people the helplessness of their position as British subjects in India.

#### IV

**The Reforms Act, 1919.**—While India was groaning under the horrors of the Martial Law Regime in



PANDIT MOTILAL NEHRU



WHEN STARTED PRACTISING AT  
CALCUTTA HIGH COURT.



AT THE HEIGHT OF HIS  
PROFESSIONAL GLORY.

the Punjab, and popular distrust and hopelessness were worse than ever, the British Government in England pressed on with the various stages of the Reform Bill, and it was passed into law on December 23, 1919. Naturally under the circumstances it was impossible to expect that there should be an unbiased and dispassionate assessment of the merit of the new Reforms as the atmosphere was surcharged with gloom and passion. Still, Indian leaders, including even the Extremist leaders like Mahatma Gandhi, Pandit Nehru, C. R. Das, Bal Gangadhar Tilak, Bipin Chandra Pal and others, were willing that the new Reforms should be given a fair trial, and urged upon the Government the desirability of making gestures of good will and conciliation to efface the terrible memories of the Martial Law days and also of appointing a committee to enquire into the military excesses in the Punjab.

The Government acceded to both these demands. The Hunter Committee was appointed to enquire into the Punjab disturbances and a Royal proclamation announced a general amnesty of political prisoners on the eve of the inauguration of the new Reforms. It was in these somewhat altered and improved circumstances that the Indian National Congress met at Amritsar in December, 1919.

**Amritsar Congress.**—At this critical situation it was absolutely necessary that the Congress should be presided over by a man who could give a clear and definite shape to the hope and aspiration of the country. Undoubtedly Pandit Motilal was such a



man and at the instance of the Mahatma and at the desire of the public, Panditji was elected to the chair.

In course of his Presidential address at Amritsar, Pandit Motilal said :

“We must do reverence to the sacred memory of the dead who were killed in Amritsar and elsewhere in the Punjab, and to the living who were put to indignities worse even than death and suffered the most shameful barbarities. No monument of marble or bronze is needed to consecrate their memory. Our speeches here will be forgotten, the resolutions you pass may in the future have interest only for the historian, but India will never forget the sacrifices and the sufferings of these children of hers.

“But through the surrounding gloom has come a ray of bright sunshine which has cheered up many a suffering individual and family in India. His Majesty the King-Emperor has, on the eve of this great meeting, been graciously pleased to send out to us a message of his Royal clemency, to be exercised by the Viceroy in the name and on behalf of His Majesty, to all political offenders suffering imprisonment or restriction on their liberty. It is the sentiments of affection and devotion with which His Majesty and his predecessors have been animated that have consoled us in our misfortunes. It is for us, fellow delegates, on our own behalf and on behalf of the people of India whom we represent, to convey our sincere homage to His Majesty and our humble appreciation of His Royal benevolence.”

This address of Pandit Motilal was quite moderate in tone on account of the improved circumstances

narrated above. And the whole proceedings of the Amritsar Congress, in spite of some differences of opinion that were inevitable, reveal this spirit of moderation and compromise, and, as will be seen below, ultimately resulted in a decision to work the Reforms.

The principal resolution was moved by Mr. C. R. Das in the Congress in the following terms :—

(a) "That this Congress re-iterates its declaration of last year, that India is fit for full responsible Government and repudiates all assumptions and assertions to the contrary wherever made."

(b) "That this Congress adheres to the resolutions passed at the Delhi Congress regarding the constitutional reforms and is of opinion that the Reforms Act is inadequate, unsatisfactory, and disappointing."

(c) "That this Congress further urges that Parliament should take early steps to establish full responsible Government in India in accordance with the principle of self-determination."

Lokamanya Tilak supported this resolution. Mr. Das had a strong following at his back from Bengal and so also had Lokamanya from Bombay. But Mahatma Gandhi came forward with an amendment. His amendment sought to delete the word 'disappointing' at the end of clause (b), and to add after clause (c) "Pending such introduction, this Congress begs loyally to respond to the sentiments expressed in the Royal Proclamation, namely, 'Let the new era begin with a common determination among my people and my officers to work together for a common

purpose and trusts that both the authorities and the people will co-operate so to work the Reforms as to secure early establishment of full responsible Government. And this Congress offers its warmest thanks to the Right Hon. E. S. Montagu for his labours in connection with the Reforms."

Pandit Madan Mohan Malaviya supported Mahatmaji and after much discussion a compromise was arrived at and the following paragraph was added to Mr. Das's original resolution.

"This Congress stated that so far as may be possible they will work the Reforms so as to secure the establishment of full responsible Government, and this Congress offers its thanks to the Right Hon. E. S. Montagu for his labours in connection with the Reforms."

There were also resolutions dealing with affairs in the Punjab, one on the Declaration of Rights and one on the Turkish question.

The Congress also appointed a Sub-Committee to enquire into the Punjab atrocities. The committee consisted of Mahatma Gandhi, Pandit Motilal Nehru, Pandit Madan Mohan Malaviya, Mr. C. R. Das, Dr. M. A. Ansari, and some others.

**No "Change of Heart."**—The attitude of moderation and compromise that characterized the Amritsar Congress, under the Presidentship of Pandit Motilal Nehru, was not however destined to last. And curiously enough, it was Mahatma Gandhi who pleaded for working the Reforms at Amritsar and opposed Lokamanya Tilak and Mr. C. R. Das who were more stiff and uncompromising—it was he who

developed under the stress of circumstances into the most rigid and unbending opponent of the Reforms. What were these circumstances? The Hunter Committee of enquiry into the Punjab disturbances published its report—but the trend of the Report failed to satisfy nationalist opinion in general, and Mr. Gandhi in particular. Side by side with the official report was published the Congress Enquiry report which threw a much more lurid light on the whole situation. Further, the way in which General Dyer was lionized by a section of the British press and people, for his “splendid brutality” at Amritsar, as they called it, culminating in the presentation of a public purse of Rs. 300,000 to him in appreciation of his services, and as a compensation of his censure by the Hunter Committee, convinced Mr. Gandhi that despite the amnesty and the Reforms there had been no “change of heart” on the part of the British people. It was this lack of faith in the *bonafides* and honest intentions of the British that led Mahatma Gandhi, always responsive to moral appeal as he is, to preach the gospel of non-co-operation with the British Government which he called “Satanic.”

Another factor contributed to strengthen the forces ranged against the Government. The Ali Brothers had been released under the general amnesty on the eve of the Amritsar Congress. They became the spear-head of the movement of protest that had already begun against the policy of the Allied Powers towards Turkey. The Ali Brothers gave the movement a distinctly religious colouring, described it as

a movement for the restoration of the purity and prestige of the *Khalif* of Islam, and styled it the *Khilafat* movement. Maulanas Muhammad Ali and Shaukat Ali led a whirlwind *Khilafat* campaign and joined forces with Mahatma Gandhi in his revolt against the British Government.

The programme of non-co-operation proposed by Mahatma Gandhi, helped by the Ali brothers, however, was not at once approved of, even by Extremist leaders like Mr. C. R. Das, Pandit Motilal, and Lala Lajpat Rai. What attitude Lokamanya Tilak would have taken up was never revealed for he died just on the eve of the launching of this programme. Mahatma Gandhi wanted to place his proposals before the All-India Congress Committee; and accordingly, on the 30th of May, 1920, at a meeting of the All-India Congress Committee he explained the details of the scheme; but Pandit Motilal Nehru and Mr. C. R. Das stood against the proposal and it was decided to call a special session of the Congress in September.

**Special Congress at Calcutta.**—The Special Congress met at Calcutta in September, 1920, under the presidency of Lala Lajpat Rai. The main issue before this Congress was the adoption of Mahatma Gandhi's non-co-operation programme, devised as the only effective protest against the triple wrongs viz. the unsatisfactory nature of the Montagu Chelmsford Reforms, the Punjab atrocities, and the *Khilafat* wrongs. Mahatma Gandhi himself moved the resolution on Non-co-operation.

Pandit Motilal and Mr. Das strongly opposed this

resolution and supported the amendment proposed by Mr. Bipin Chandra Pal. But the original motion was adopted by a great majority. The Congress resolved that there was no other course left open to the people of India than to approve of and adopt the policy of progressive non-violent non-co-operation, until the Punjab and *Khilafat* wrongs were righted and *Swarajya* established. The Congress accordingly advised:—

- (a) Surrender of titles and honorary offices and resignations from nominated seats in local bodies.
- (b) Refusal to attend Government levees, durbars etc.
- (c) Gradual withdrawal of children from Schools and Colleges owned, aided or controlled by Government, and the establishment of national Schools and Colleges in their place.
- (d) Gradual boycott of British Courts by lawyers and litigants, and establishment of private arbitration courts for the settlement of private disputes.
- (e) Refusal on the part of military, clerical and labouring classes to offer themselves as recruits for service in Mesopotamia.
- (f) Withdrawal by candidates of their candidature from the Reformed councils and refusal on the part of the voters to vote for any candidate.
- (g) Boycott of foreign goods.

**The Nagpur Congress.**—In December, 1920, the

Congress met at Nagpur. Mr. Vijairaghavachariyar was in the chair. Pandit Matilal and Mr. C. R. Das had gone there with a strong following to oppose the ratification of the Non-co-operation resolution of the Special Congress, but at Nagpur, they were completely won over to Mahatma's side. Instead of opposing it was Mr. Das who moved the non-co-operation resolution which was adopted in the Congress.

The Nagpur Congress also altered the Congress creed and drew up a new constitution. The creed as altered ran :—

"The object of the Indian National Congress is the attainment of the Swarajya by the people of India by all legitimate and peaceful means."

The alteration amounted to the substitution of the words "Legitimate and Peaceful" for "Constitutional."

## V

**The Struggle for Swaraj.**—Mahatma Gandhi's hands were immensely strengthened after Nagpur at obtaining the support of eminent men like Pandit Motilal Nehru and Mr. C. R. Das. These two leaders threw themselves heart and soul into the movement. In Bengal Mr. Das retired from his roaring practice at the Bar, and dedicated himself wholly to the national movement, and earned from his admiring countrymen the appellation of Deshabandhu. In the United Provinces, Panditji took up the leadership of the movement. Soon after the Nagpur Congress he published an admirable little pamphlet "The Struggle for Swaraj," which may be looked upon as a Non-co-operator's gospel. His son, Pandit Jawaharlal, too,

who had joined the Bar, renounced his practice and joined the movement. Indeed the general impression was that it was Pandit Jawaharlal who was mainly instrumental in converting his revered father zealously to Mahatmaji's programme. The other members of Pandit Nehru's family, men and women alike, also were not behind-hand in their zeal for the nation's cause.

**The Pandit's Sacrifices.**—The sacrifices that Panditji made for the sake of Non-co-operation are alone sufficient to place him high in the esteem of his countrymen, apart from any valuation of the actual services he rendered to the cause. Everybody had heard of the princely style in which he was living at his palatial mansion at Allahabad. Everybody who has been his guest at the "Anand Bhawan" would confirm this. He moved on terms of intimacy with the Lieutenant-Governor and with the members of the Provincial Government and he was their honoured friend and constant adviser. The richness and luxury of his life at Allahabad during those days attracted universal notice. We are told that he had his dress washed from Paris by every mail and he was the leader of fashion in Allahabad. All these were gone when he joined the non-co-operation movement. No exodus to the hills during the summer now, no dress after the latest fashion in Paris. All his attire was pure homely "Khaddar."

**Non-Co-operation movement.**—The movement founded upon the noble sacrifice of Motilal and Chittaranjan did not take long to spread. The Legislatures were boycotted by Congressmen. Hundreds



of lawyers gave up practice and students in their thousands left schools and colleges and enrolled themselves as volunteers. As a result of their propaganda more than fifty thousand Congress Committees were set up and one crore of men and women became members of the Congress. In the very beginning of the movement violence broke out in the U. P.; many persons were killed and wounded in clashes with the police and many were thrown into prison.

The next important event was the Akali Satyagraha in the Punjab, following on the massacre of 150 Akali Sikhs by the Mohunt at Nankana.

The Non-co-operation movement in the C. P. concentrated in the picketing of liquor shops. This led to a riot at Nagpur. The police opened fire on the mob. The Government also took preventive measures under Sec. 144 of the Criminal Procedure Code. As a consequence the movement grew in strength. Hitherto the people concentrated on picketing, but now they got the chance of breaking Sec. 144. Sec. 144 was also served on several places in Bengal. When the Matriculation Examination was going on, Deshbandhu was going from Dacca to Mymensing. The District Magistrate of Mymensing served him with a notice under Sec. 144, detained him in the station and at last withdrew the order. Serving Deshbandhu with a notice under Sec. 144 caused a widespread agitation all over East Bengal and as a result half the students came out from the examination hall in Mymensing, Dacca and Barisal. Shortly before this in March there was further rioting in the U. P. and at Nagpur. A meeting of the All-

India Congress Committee was hastily called to consider the situation and it met at Bezwada and passed the following resolution :—

- (a) One crore of rupees was to be collected for the Tilak Swaraj Fund by the end of June.
- (b) One crore of members were to be enlisted by that date.
- (c) Twenty lacs of Charkhas were to be introduced into villages.

A second resolution pronounced that the various Government orders passed in different Provinces were illegal and affirmed that the country had responded in a wonderful manner in the face of grave provocation to the principle of non-violence. It also declared that the country was not yet ready for Civil disobedience and advised how to prepare for it.

This period also saw extensive industrial strikes in Bengal, Behar and Assam. In Bengal there were strikes on the railways and in the steamer services ; in Behar there were strikes in coal mines and in Assam there were strikes in the tea estates. The strikers' cry was everywhere "Gandhi Maharaj-ki-joy." Though the Congress was not in any way responsible for these strikes they helped the Congress to gain men and money for itself. Mob violence broke out in many places during the year the most notable being the Moplah rising in Malabar.

Lord Reading came out as Viceroy in April 1921. At the instance of Pandit Malaviya, Mahatma Gandhi went and saw him. But nothing resulted from the interview ; on the contrary, Mahatmajī in a letter to

the Viceroy declared himself to be the greatest enemy of the Empire.

Meanwhile the idea was gaining ground among the Indian Moslems that Britain was helping the Greeks against the Turks, and it gave a serious turn to the Khilafat agitation. A meeting of Moslem Divines issued a Fatwa urging the Moslems to resign from the Police and the Army. The Karachi Khilafat Conference passed a resolution to the same effect. The Government thought that the time had come to take action. The Ali Brothers, Dr. Kitchlew, Mr. Yakub Hassan and others were sent to prison for sedition.

On the 4th of November, 1921, Mahatma Gandhi, Pandit Motilal and other leaders called the A. I. C. C. meeting and passed a resolution authorizing every province on its own responsibility to undertake Civil Disobedience including non-payment of taxes. The same month the Prince of Wales arrived in India. He landed in India on the 19th of November. On that day at the instance of the Congress an all-India Hartal was peacefully carried out everywhere except in Bombay where there was a serious riot in which 53 persons were killed and 403 wounded. Shocked at this mob violence Mahatmaji observed a fast for 5 days by way of penance. The Government then determined to adopt a repressive policy against the Congress; Congress Volunteer Organisations in Bengal, the U. P., Punjab and Assam were declared unlawful. Prominent leaders such as Pandit Motilal, Jawaharlal, Deshbandhu Das, Mr. J. M. Sen Gupta and others accepted the challenge by declaring themselves Congress volunteers.

**First Arrest and Imprisonment.**—Thanks to Panditji's efforts, in the United Provinces there was perfect non-violence during the Prince of Wales's visit to Lucknow and Allahabad. Whatever one may think of this particular programme of boycotting the Prince, the Pandit spared no pains to popularise the movement. He carried on an aggressive agitation. On the day of the Prince's arrival the streets were deserted and wore a mournful look.

On the 6th December, 1921, Pandit Motilal, with his only son Jawaharlal, and two nephews Mohanlal and Shyamlal Nehru together with several others, was arrested on a charge of signing the pledge of Congress volunteers.

The following is the account he gave of his arrest in his speech at Allahabad on June 12, 1922 :

A few days before the Prince's visit, I received an extraordinary communication from the District Magistrate of Allahabad. It was accompanied with all the dignity and paraphernalia of magisterial authority. We had been in the habit of corresponding with one another in the usual manner and our letters were sent through the usual messengers, but on this occasion an open letter was brought by a police sub-inspector in which I was called upon to make certain depositions of my own grounds such as the closing of the gate at a particular time, the admission of visitors, etc. I told the Magistrate, in reply, that he had no authority to interfere with the use of my own property in any way I chose, so long as such use was

lawful and proper, but assured him that as a Non-co-operator it was my duty to see that no harm befell His Royal Highness and that no disrespect was offered to him during his visit to Allahabad. For this assurance I was rewarded by being arrested with my son and nephews and a number of other co-workers a couple of days later. The Prince came in due course and you gave appropriate response by observing the greatest of all 'hartals' in India in connection with the visit. 17099.

The same day, Pandits Mohan Lal Nehru and Shyam Lal Nehru were sentenced by Mr. Knox, District Magistrate, each to six months' simple imprisonment and one hundred rupees fine, in default one month's simple imprisonment in addition. Pandit Motilal Nehru, when his turn came for examination, refused to answer any question. He refused to plead, saying that he was not before a court but before the agent of the bureaucracy which was his country's enemy. And he, too, was sentenced to six months' simple imprisonment.

Panditji took the sentence with a light heart. In fact, he felt as if the hall-mark of recognition as a leader had been conferred upon him by the Government. Pandit Jawaharlal Nehru was also arrested on the same day and sentenced to six months' simple imprisonment.

Though Jawaharlal was released before the expiry of his term of six months on March 3, 1922, he was again arrested under Sections 124A and 506 of the

Indian Penal Code on May 11 in the District Jail of Lucknow where he had gone on a visit to his father Pandit Motilal.

Imprisonment could in no way affect the convictions of men determined to suffer for a cause. Soon after the arrest of Motilal a move was made by Government and the leaders to bring about a round-table conference with a view to effect some compromise. Motilal and Das were in prison and with them a host of popular leaders. Lest Mahatma Gandhi, overcome by the sufferings of his devoted colleagues in jail, should give way, Pandit Motilal resolutely stood by the original demands. Indifferent to his own sufferings and those of his other colleagues he wrote to Mahatma Gandhi from the Lucknow Jail in unequivocal terms urging that their sufferings should in no way disturb the leaders' insistence on a just settlement.

**Significance of Leadership.**—The full significance of Pandit Nehru's leadership of the Non-co-operation movement in his Province was revealed only by his arrest. Nobody could be found who could fill his place adequately. Rumours of his release from prison before the expiry of his period were therefore welcomed by the anxious public. Moreover, his health caused some anxiety. He had been for a long time suffering from asthma and after the middle of February he got worse. At his request the jail authorities permitted him to place himself under the treatment of his fellow prisoner, Dr. Murarilal and Dr. Jawaharlal. But before the course of vaccine treatment that he was undergoing was over, Panditji

was transferred from Lucknow to Naini Jail, the official reason being "considerations of health." The Pandit felt the reason to be only a cloak for some official whim; probably the authorities did not like his son (who had just been arrested) to remain in the same jail with him. And his spirited letter of protest to the Superintendent of the Jail seems to have received no consideration at official hands.

**Release and subsequent activity.**—But Pandit Motilal was not to be daunted by physical or family suffering from the vigorous pursuit of his cause. Anticipating his release, a place on the All-India Congress Committee was reserved for him. Immediately on his release from Naini Jail on the 6th June he assumed the Secretaryship of the Congress and the office was transferred from Ahmedabad to Allahabad in consequence of his taking up the work. The Working Committee welcomed him and readily submitted to his leadership. He was elected to preside over the District Political Conference at Khurja. Pending the Conference Panditji was not idle. Since his release he had been on a lecturing tour. His gaol life had not in the least affected his optimism and he was now surer than ever that in this struggle for Swaraj victory was at hand for the people.

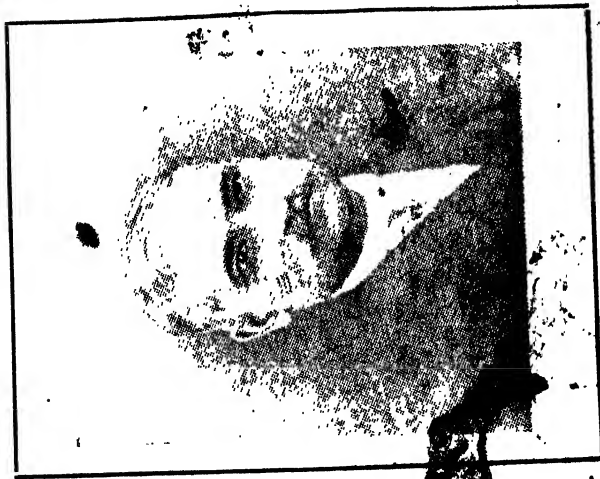
**The Khaddar Programme.**—He insisted on the constructive side of the Non-Co-operation programme viz., the universalizing of 'Khaddar.'

In fact long before the Khaddar movement had begun he was a firm advocate of Swadeshi and the development of home industries, of which weaving and





PANDIT MOTILAL NEHRU



AN M. L. C. IN 1913.



AN M. L. C. IN 1913.

struggle was over. Again and again he emphasised the necessity of moneyed men coming forward and investing the raw materials of Indian production and the service of Indian labour.

## VI

**The end of Civil Disobedience.**—Let us now return to continue the history of the non-violent Non-co-operation movement. When the Government declared the Volunteer Organisations illegal and imprisoned prominent leaders like Das and Nehru the Congress gained two powerful leaders, they were Mr. Srinivas Iyenger and Pandit Madan Mohan Malaviya. Mr. Iyenger, once Advocate-General was at that time a Moderate leader. He resigned his seat in the Council and joined the Congress as a protest against Government repression. Mr. Malaviya had seceded from the Congress ever since that body had adopted Non-co-operation. But at this time of calamity he came back and signed the Congress creed.

Towards the close of December the Congress met at Ahmedabad. Deshbandhu Das had been elected President and every province of India; but he had been arrested and Hakim Ajmal Khan from Delhi took his place. In this Congress at the instance of Mahatma Gandhi (1) the Non-co-operation resolutions of the Calcutta and Nagpur Congress were confirmed; (2) appeal was made to all persons over 18 years of age to offer themselves quietly for arrest by joining the National volunteer organisations; (3) Civil Disobedience, individual and mass, was recommended.

Another resolution invested Mahatmaji with full executive power. It was at this Congress that Hasrat Mohani moved for the first time the Independence resolution. But Mahatmaji spoke against it and it was lost.

On the 26th of January, 1922, Mahatma Gandhi left his Sabarmati Asram and set out for Bardoli to start Civil Disobedience there. On the eve of his departure he addressed a few words to his followers at Sabarmati which would ever remain famous in history. He said, "I may return in a week or in a month—or I may not return at all. But this is certain that the work which has once commenced will not end till victory is achieved." On the 30th of January, in a conference of the people of the *Taluka*, Mahatmaji and Mr. V. J. Patel explained to the assembled cultivators the nature of the campaign and the possible consequences. About this time a no-tax campaign was going to be launched at Guntur in the Madras Presidency. The Working Committee of the A. I. C. C. met at Surat, congratulated Bardoli and advised the rest of India to assist Bardoli by refraining from Civil Disobedience elsewhere. On the 4th of February Mahatmaji sent his ultimatum to the Viceroy. Then came the dreadful tragedy at Chauri Chaura in which several policemen were burnt to death in an orgy of mob violence, which compelled Mahatmaji to cry halt. He wrote thus in *Young India* :—

"God has been abundantly kind to me. He has warned me for the third time that there is not as yet in India that truthful and non-violent atmosphere which and which alone can justify Mass Disobedience.

"The tragedy at Chauri Chaura is really the index finger. It shows the way India may easily go if drastic precaution be not taken. If we are not to evolve violence out of non-violence it is quite clear that we must hastily retrace our steps and re-establish an atmosphere of peace, re-arrange our programme and not think of starting Mass Civil Disobedience until we are sure of peace being retained in spite of Mass Civil Disobedience and in spite of Government repression."

Mahatma Gandhi desired that the Congress should concentrate on spinning, making propaganda in connection with Khaddar, communal unity and social service, and suspend all other activities. But the A. I. C. C. which met at Delhi passed, much against the Mahatma's own view and mainly under pressure from the leaders of Bengal, Punjab and Maharastra, resolutions to the effect that a suitable atmosphere of non-violence should be created by concentrating on the constructive programme framed by the Working Committee. Picketing was authorised against liquor and foreign cloth. Individual Civil Disobedience was permitted.

The Non-co-operation camp was now seriously divided. Aligarh students passed a resolution condemning abandonment of Civil Disobedience; the Akalis of the Punjab threatened Civil Disobedience against the decision of the Congress. Owing to the absence of leaders like Pandit Motilal signs of violence were visible among the peasants of the U. P. and the Bhils were about to resort to violence.

**Imprisonment of Mahatma Gandhi.**—The Euro-

pean public had long been clamouring for arrest of the Mahatma. Anglo-Indian papers were urging immediate arrest. Government seeing Mahatmaji's influence on the wane determined to arrest him. He was accordingly taken on the 10th of March on a charge of sedition for publishing three articles in the *Young India* and was sentenced to 6 years' imprisonment. On the eve of his arrest the Mahatma wrote:—

"It would be a sad commentary upon my preaching and upon the Congress and *Khilafat* creed of non-violence, if my incarceration was to be the signal for a storm all over the country."

In three or four months after the arrest of the Mahatma the country quieted down. With a lull in the excitement the vigour of the constructive work lulled down and simultaneously with it for want of workers the pulse of the Congress Committees grew feebler and feebler.

**Civil Disobedience Enquiry Committee.**—On the 6th of June, 1922, as already stated, Pandit Motilal came out of the Naini Jail. As previously arranged, the A. I. C. C. met at Lucknow on the 7th. Panditji joined the meeting. Already Mr. Kelkar of Maharashtra had sent a strong representation to the Congress Secretary, Mr. V. J. Patel to the effect that Maharashtra wanted to capture the Councils and Local Bodies. But the President Hakim Ajmal Khan and the Secretary Patel had informed them that for the present they wanted to postpone the proposal. Mortified at this the Maharashtra representatives did not join the meeting of the A. I. C. C.

At this meeting a resolution was passed to the effect that a committee should be formed to enquire and report on the constructive programme of the Congress generally and on Mass Civil Disobedience. Pandit Motilal was appointed President. Under the guidance of Panditji the committee travelled through different parts of the country, prepared the report and presented it to the Congress President, Deshabandhu Das on the 30th of October. The purport of the Report was as follows:—

- (1) The committee did not think that the country was prepared for general Mass Civil Disobedience. But a situation might arise when Mass Civil Disobedience of a limited character might be necessary. And in that case the Provincial Committees should be authorised to sanction such movements on their own responsibility.
- (2) The Committee recommended the capture of Councils with the idea of carrying on a policy of obstruction.

It should be mentioned in this connection that Deshabandhu Das got out of prison before the Civil Disobedience Enquiry Committee submitted its report and it was due to his influence that Council-entry was recommended.

## VII

**Council Entry.**—The policy of entering the Assembly and Councils with the object of obstructing the Government did not commend itself to the ignorant masses. They had a great regard for the Non-cooperation policy of the Mahatma and they blamed it

as anti-Gandhi. Most of the people were for the old policy and against the new one. They got the name of "No-changers". Those who supported Council-entry were called 'Pro-changers.' Mrs. Sarojini Naidu, Mr. Rajagopalacharia, Mr. T. Prakasam, Pandit Shyam Sundar Chakravarty and others were the leaders of the 'No-changers', while the 'Pro-changers' were led by Pandit Motilal Nehru, Deshabandhu Das, V. J. Patel, N. C. Kelkar and M. R. Jayakar. Pandit Jawaharlal, the worthy son of Motilal, went however against his father and remained a no-changer.

The two parties joined issue first in A. I. C. C. meeting at Calcutta in November. In this meeting the recommendations of the Enquiry Committee regarding Civil Disobedience were accepted, but, on the point of Council-entry there was a long and heated debate for five days and at last it was resolved that the question be left for the Congress itself to decide.

**Gaya Congress and after.**—In December the 37th session of the Congress was held at Gaya with Deshabandhu Das in the chair. It was settled that Pandit Motilal Nehru, one of the leaders of the party advocating Council-entry, would move Council-entry in the Congress. But after a long debate the resolution was thrown out by the Subjects Committee. The resolution in an amended form was moved in the Congress and here also the 'No-changers' being in a majority it was defeated. But Motilal, C. R. Das, Kelkar and other leaders not being daunted by this defeat forthwith formed a new party called 'Congress Khilafat Swarajya Sangha' which in later days came

to be called 'Swaraj Party.' From the very beginning Deshabandhu Das was its President and Pandit Motilal its Secretary. Hakim Ajmal Khan and Moulana Abul Kalam Azad belonged to this party from the very day of its birth. As it opened a new path for Hindu-Moslem unity many of the Mahomedan leaders came to join this party.

In this connection it would not be out of place to say a word or two about the Mahomedans. They joined the Non-co-operation movement not so much for the national cause as for the cause of the *Khilafat*. As soon as the *Khilafat* question was patched up they withdrew from politics. This was proved by the fact that Ali Brothers after coming out of the jail did not join the Congress. Of the prominent Mahomedan leaders only Hakim Ajmal Khan, Dr. Ansari and Moulana Azad still adhered to the Congress.

A notable event of this period was the Nagpur Satyagraha. The Magistrate of Nagpur forbade processions with national flags through the city. The Congress authorities determined to disobey this order. Every day a band or two of Congress volunteers went in procession in order to be arrested and thus gradually 1500 volunteers were arrested. As the number of the processionists went on increasing the C. P. Government grew tired at last and in August released them all. It should be mentioned in this connection that it was the 'No-changers' who conducted the Satyagraha. Even Mr. Kelkar, the Swarajist leader of the C. P., stood away from this movement. Pandit Motilal and Deshabandhu being busy in building up the new party had naturally no time to look after the movement.



On the 30th of April, 1923, in a special meeting held at Allahabad there was an attempt to bring about a compromise between the two parties. But in spite of all efforts on the part of Pandit Madan Mohan Malaviya and others, the meeting broke up before any conclusion was arrived at. Next the A. I. C. C. met at Bombay in May and passed a compromise resolution that no propaganda be carried on amongst the voters in furtherance of the Gaya resolution relating to Council boycott.

Deshabandhu Das gave up the Presidentship of the A. I. C. C. and devoted himself to the organisation of the new party. At the instance of Pandit Motilal and Deshabandhu Das there were meetings of the A. I. C. C. at Nagpur and Vizagapatam. As the day of the elections was drawing close it was necessary to have the consent of the Congress on the question of Council-entry. At Vizagapatam it was decided to call a special session of the Congress at Delhi. Soon after this decision Lala Lajpat Rai, Moulana Mahammad Ali and Dr. Kitchlew were released. They saw that if the Congress voted against Council-entry it would lose such popular leaders as Nehru, Das and Hakim Sahib. This led them to advocate Council-entry in the special Congress.

**Special Congress at Delhi.**—The Special Congress met at Delhi with Moulana Azad in the chair. The resolution that lifted the ban on Council-entry was moved by Maulana Mahammad Ali who claimed to have received a telepathic message from the Mahatma supporting Council-entry. The resolution being carried, Pandit Motilal, Deshabandhu Das and

Maharashtra leaders plunged headlong into the election campaign.

After the session of the Congress, Deshabandhu Das and Pandit Motilal carried out an intensive Swaraj campaign in North India. In October a manifesto was issued and elaborate preparation was made for fighting the elections. In November and December they contested the elections successfully all over India pushing to the walls the old Moderate leaders everywhere.

Considering the short time within which elections took place, the Swarajists won considerable success at the polls. Pandit Motilal Nehru became the leader of Opposition in the Assembly—a position which he held till he resigned from the Assembly in pursuance of the mandate of the Lahore Congress. The Swarajists under the leadership of Pandit Motilal inflicted defeat after defeat on the Government in the Assembly.

During the year Mahatma Gandhi was released from jail and at Juhu where he had gone to recoup his health, he accepted the compromise with Pandit Motilal, Deshabandhu Das, and other Swarajist leaders and desired that the country should give a free hand to the Swarajists. The Belgaum Congress under the presidency of Mahatmajī ratified the agreement.

Panditji who earlier was associated with the starting of the *Independent*, a daily at Allahabad which had a short but brilliant career, joined the Board of Directors of *Forward*, a paper brought out in Calcutta by Deshabandhu Das which within a short time of its appearance came to occupy a leading place in the field of journalism.

**Death of Deshabandu Das.**—In June 1925 Deshabandu Das suddenly passed away at the zenith of his career. His sudden death at a most critical time was a heavy blow to the nation's hopes and aspirations and the whole country mourned his loss. The dead body was brought from Darjeeling to Calcutta in a special train and the huge procession that followed it from Sealdah Station to the Keoratala Burning ghat will ever be a memorable event in the history of India.

The names of Deshabandhu and Motilal appear side by side in the history of India's struggle for independence. There are many points of similarity in their lives. Both were leaders of the Bar in their own provinces; both entered politics rather late in life; both had received a rude shock from the Punjab wrongs and both gave up practice without caring in the least for their princely income at the Bar; both had similar political views and grew up to be great friends.

Motilal sent a message of condolence to Mrs. Das and immediately joined her at Calcutta and stayed at her residence till the day of the *Sradh*.

After the death of Deshabandhu, Pandit Motilal succeeded him as the leader of the great Swaraj party that they had formed.

**National Demand.**—In September 1925, Panditji put forward in the Assembly the famous national demand. In the opinion of many it was a modest enough demand, but the Government made it clear that they were not going to accept it. A special Committee appointed by the Congress at Cawnpore

interpreted the Viceroy's integral address and the statements of the Home Member in the Assembly and the Council of State to imply refusal to concede the national demand. The A. I. C. C. therefore in March 1926, called upon the Swarajist members to withdraw from the various legislatures.

**Swarajist Walk-out.**—On 8th March 1926 Pandit Motilal Nehru made a statement in the Assembly in which he claimed that the Swarajists had co-operated with the Government of India and had helped to work the reforms for two and half years and in return had received nothing but humiliation. After the statement Panditji with the whole of the Swaraj Party walked out of the Legislative Assembly. This action was followed in the Council of State and in the U. P. and Bengal Councils. The Responsivists who had entered the Councils under the Swaraj ticket but had already unfurled the flag of rebellion against the Congress under their leader, Mr. M. R. Jayakar, strongly objected to the move and thenceforth left the Swaraj Party altogether.

## VIII

**Communal Squabbles.**—During the time the very foundations of nationalism were being shaken by serious and organised communal riots, principally in Bengal. Feelings ran high and even leaders who had played a great part in the nationalist movement forgot in their communal zeal that they had ever worked together for the common weal. The communal organisations gained in importance. The right of playing music before mosques acquired precedence

over even the most elementary rights of a subject of a civilised State. Only a few names stood prominently out of the filth of communalism that was sullyng this unfortunate country and they should be written in letters of gold in the nation's memory. Of these names that of Pandit Motilal Nehru stands out most prominently: he never for a moment forgot, and was never afraid to declare, that the interests of India stood first and everything else afterwards.

**Simon Commission.**—On 8th November 1927, the Viceroy made the announcement of the appointment of Statutory Commission to inquire into the Reforms under the Chairmanship of Sir John Simon. There were no Indians on the Commission and the Committees of the Indian legislatures that were introduced as an after-thought were merely consulting bodies. The decision to exclude Indians from the Commission united the whole of India in a moment to boycott the Simon Commission, even Moderate leaders joining hands. Pandit Motilal Nehru on behalf of the Congress wrote to Mr. George Lansbury asking the Labour Party to withdraw their members from the Commission, saying that nothing short of full responsible government would satisfy the Congress. But Mr. MacDonald, the Labour Leader, decided not to withdraw the Labour members. A vast majority of leaders of various schools of political thought were brought on a common platform by the boycott movement against the Simon Commission. The A. I. C. C. called on the Working Committee to frame a constitution in consultation with the leaders

of other political sections. The Committee presided over by Pandit Motilal Nehru drew up a constitution for India, complete in all details, and submitted what is known as the "Nehru Report."

**Calcutta Congress.**—In view of the momentous crisis facing the country, Pandit Motilal Nehru was again called upon to preside over the Indian National Congress held in Calcutta, in December 1928. The Calcutta Congress considered the Nehru Report and decided to accept Dominion Status as formulated by the report if granted immediately; otherwise the country was to revert to the ideal of Complete Independence as adopted by the Madras Congress a year before. One year's time was given, within which time Dominion Status was to be granted.

**Viceroy's Declaration.**—In November 1929, the Viceroy made a declaration announcing the holding of a Round Table Conference with the representatives of the Princes and peoples of India; stating that the goal of India was 'Dominion Status' and declaring that there would be as much transference of power to the people as was practicable. On the eve of the Lahore Congress Mahatma Gandhi and Pandit Motilal Nehru had an interview with the Viceroy in which they took up the position that Congress could join in the Round Table Conference only on condition that Dominion Status should be the declared objective of the Conference, which would meet only to consider the details as to how to grant it. The Viceroy failed to accept those terms and the conference broke down.

**Lahore Congress.**—The Lahore Congress, under

Pandit Jawaharlal Nehru decided that no satisfactory gesture had been made by the British Government to meet the Indian demands and hence it scrapped the Nehru Report; and with it went down Dominion Status, and Congress adopted the goal of "Independence."

- **Civil Disobedience.**—Following the resolutions of the Lahore Congress, Pandit Motilal, with his group in the Legislative Assembly, withdrew from the legislatures and devoted his energy whole-heartedly to the campaign of civil disobedience launched by Mahatma Gandhi.

**Gift of Ananda Bhawan.**—During the progress of the movement, Pandit Motilal made the largest contribution that has ever been made to the Indian National Congress. He dedicated his palatial residence at Allahabad known as the Anand Bhawan to the cause of the nation. The house was made over to the Congress by a deed of gift for the purpose of holding the office of the Working Committee of the Congress.

On March 28, Pandit Motilal addressed a letter to the President of the Indian National Congress offering his old house "Ananda Bhawan" to the nation. To the letter was attached a Note in which, it was stated, that the house stood on the site next to the Ashram of Bharadwaj where, in the times of Ramchandra, there was reputed to have been a great University. It was also pointed out that the University was intimately connected with the development of the national movement. Many important

meetings of the All-India Congress Committee took place there. The Congress-League Scheme of Reforms, which was placed before Mr. Montagu, was framed there. The house was also intimately connected with the non-co-operation movement ; the Civil Disobedience Committee, the Swaraj Party and the All-Parties Committee.

Pandit Jawaharlal Nehru, who was then President of the Congress replied to the letter of Pandit Motilal as follows :—“Permit to offer you my grateful thanks for the generous offer you have made of the old “Anand Bhawan.” It is fitting that this house, which has been associated with the national movement for so many years, should become the property of the nation. It is also in the fitness of things that the dedication to the nation should take place at the auspicious moment when the country is launching on a great national struggle for independence. I am communicating your offer to the members of the Congress Working Committee and on the receipt of their answers I shall write to you. Meanwhile, allow me to express the hope that the old “Anand Bhawan” appropriately renamed “Swaraj Bhawan” will play a worthy part in the struggle for freedom, and will before long see the establishment of independence in India.

**Last Imprisonment.**—On the arrest and imprisonment of Pandit Jawaharlal Nehru, President of the Indian National Congress, in April 1930, Pandit Motilal Nehru was nominated by Pandit Jawaharlal to succeed him as President of the Congress until he was released. He had accepted the offer and was

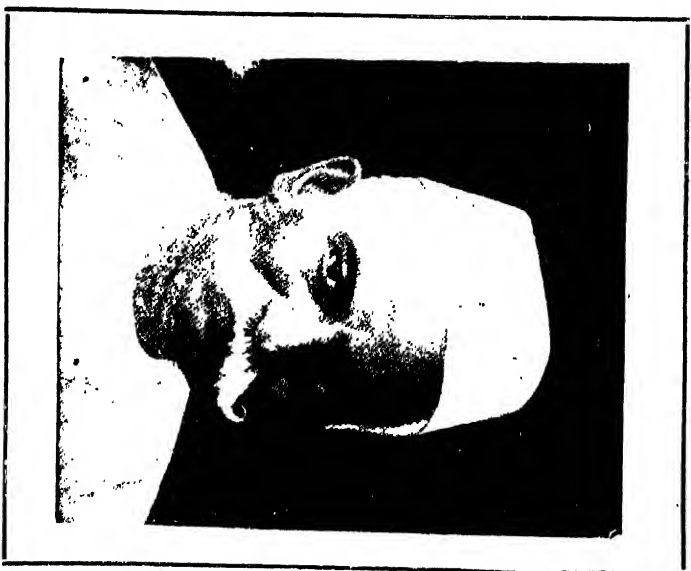


carrying on his onerous 'duty with unprecedented zeal even in his advanced old age. But he was soon arrested and sentenced to six months' simple imprisonment and sent to the Naini Central Jail where Pandit Jawaharlal was kept confined.

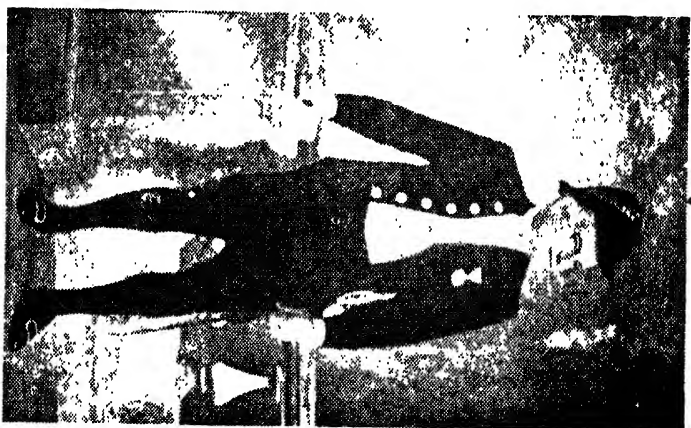
**Sapru-Jayakar Negotiations.**—During this time Sir Tej Bahadur Sapru and Mr. M. R. Jayakar, anxious to bring about a settlement of the problems that were still agitating the people of India, wrote a letter to His Excellency the Viceroy asking permission to carry on negotiations with Mahatma Gandhi, who was then interned at the Yerwada Jail with a view to explore possibilities of settlement. Consultation with Pandit Motilal having been considered essential by Mahatma Gandhi, Pandit Motilal along with Pandit Jawaharlal was brought from Naini Jail to the Yerwada Jail, where the peace pourparlers were held. The pourparlers, however, ultimately led to no settlement.

**Last Illness and Death.**—Pandit Motilal had been suffering from various complications due to the rigours of jail life and partly to the strain he had undergone on account of the heavy burden of the Congress; and on account of his ill-health he was released from jail. Immediately after release he went over to Mussoorie for a change and better treatment. At Mussoorie he made a slight improvement. But this was only for a short time, and his condition again becoming worse he returned to Allahabad. At Allahabad he was constantly ailing from complications of the lungs and liver and spitting blood and on expert medical advice he was brought to Calcutta





A CONGRESS LEADER.



AT THE DELHI DURBAR.

for X-ray examination towards the middle of November.

In Calcutta he was placed under efficient physicians like Dr. Sir Nilratan Sarkar, Dr. A. C. Ukil and others ; but no permanent improvement could be made.

He was subsequently placed under the treatment of Kaviraj Syamadas Vachaspati and was removed to Dakshineshwar in view of the pure air of the Ganges.

About this time, Sreemati Kamala Nehru, wife of Pandit Jawaharlal, was arrested. Deeply concerned at the news, Pandit Motilal hastened home.

At Allahabad his condition became gradually worse; one day, his condition was critical for twenty-four hours. Immediately after this on the 4th February, 1931, he was, under medical advice, taken to Lucknow for X-ray examination.

Panditji bore the journey from Allahabad to Lucknow well. But the doctors noticed a change for the worse in his condition on the afternoon of the 5th February. He could not, therefore, be removed to the hospital for X-Ray examination. There was some difficulty in breathing; later the patient had a suffocating sensation, and the swelling in the face and other parts of the body, which had been reported a few days earlier, increased visibly.

Doctors and nurses kept a close watch during the night. Towards midnight the patient's condition became grave, and thereafter it was one continuous struggle between life and death. The doctors did everything that was possible within the range of human ingenuity and medical skill, but they soon recognised that it was an uneven struggle, and that

the patient was sinking rapidly. All leaders and relatives were summoned to his bedside, but unfortunately the distinguished sufferer could not express his feelings, being unable to speak. After a little while he lost consciousness and by 4 o'clock in the morning it was apparent to the doctors and others, that there was no hope. At about 6-30 a. m. on the 6th February, 1931, the valiant fighter for India's freedom breathed his last in the presence of all his dear and near ones.

## IX

**A Stunning Blow.**—The news of his death spread quickly, and thousands of people rushed towards Kalakankar House to have a last look at their departed leader. There was such a rush of visitors that the body had to be brought out of the room and shown to the assembled crowd to make it disperse in order to accommodate a fresh one. All traffic beyond Gumti Bridge was blocked throughout the morning.

Scenes unprecedented in its annals were witnessed in the morning at Lucknow when the last remains of Pandit Motilal Nehru were being taken to Allahabad. Since early morning the sad news had spread to all parts of the city and its suburbs like wild-fire and the entire population, visibly afflicted by the stunning blow, rushed out of their hearths and homes for the common destination, viz. the Kalakankar Palace. Long before the necessary arrangements for removal of the earthly remains of the departed leader were complete, the entire area

around the Palace was converted into a vast sea of human heads, all eager to catch a last glimpse of the beloved patriarch of the Nation.

The rush was tremendous, but every member of the huge crowd seemed to respect the solemnity of the occasion, with the result that noise and disorder were reduced to a minimum. By 11 o'clock, at the signal that Panditji's body would be brought out and a start would be made for Allahabad, the huge concourse at once went mad as it were and kept continually shouting '*jais*' to the illustrious deceased. Indeed, the deep pathos that marked the behaviour of the crowd was something unique and beggars description.

**Mahatmaji as Pall-Bearer.**—Just at 11 A. M. Panditji's mortal remains, covered with tri-coloured Khaddar, was taken out, shouldered by Mahatma Gandhi, Dr. Bidhan Chandra Roy and Pandit Jawaharlal Nehru amidst pin-drop silence, the vast crowd almost to a man bursting out into sobs and tears for the great leader. The body was placed in a car specially decorated with National Flags and flowers.

A little later Srijukta Swaruprani Devi was seen conducted to another car by Mahatmaji and Miraben. The most noticeable feature throughout was the calm serenity which was transparent in Pandit Jawaharlal's face.

The remains of the late Pandit Motilal Nehru, placed on a motor car covered with huge national flags and with a flag flying on it, reached the Curzon Bridge, Allahabad, at about 4 o'clock in the evening. Pandit Jawaharlal Nehru and Mr. R. S.

Pandit were seated in the car. Mahatma Gandhi and others followed. A large number of people had assembled at the bridge end and offered flowers. There was a concourse of people, and a large number of cars with people from Lucknow and other places.

By the time the car reached Ananda Bhawan the crowd had swelled to nearly a lakh of people, and it is reported several received slight injuries in the severe crush.

The grounds of Ananda Bhawan were then a sea of human heads, all leading residents of Allahabad, officials and non-officials being present.

**The Funeral Procession.**—Never in the history of Allahabhd had a funeral procession of such impressive and gigantic proportions been witnessed as followed the body of Pandit Motilal Nehru. As soon as the body arrived in a car thousands of people, including some of the most respected citizens of Allahabad, Judges of the High Court, lawyers, politicians and others thronged Anand Bhawan. A procession was formed, and the body was taken towards the *Prayag Sangam*.

The procession passed Arthur Bridge and other big thoroughfares till it reached *Tribeni* where the gathering swelled to over a lakh and a quarter. Mahatma Gandhi, Mrs. Sarojini Naidu, Babu Purshottam Das Tandon, Pandit Madan Mohan Malaviya, Mr. Shiva Prasad Gupta and other leaders with Pandit Jawaharlal Nehru accompanied the funeral procession.

**Last Rites.**—Almost 12 hours after his death, at 6-30 p. m. the body of Pandit Motilal was placed on

the funeral pyre made of maunds of sandal wood on the sacred bank of the three rivers in the presence of an immense concourse of his sorrowing countrymen.

**Mahatmaji's Address.**—After the funeral ceremony was over Mahatma Gandhi and Pandit Madan Mohan Malaviya addressed the audience. As the Mahatma rose to speak there was pin-drop silence. In moving and feeling terms he referred to the services of Pandit Motilal to the country.

Mahatmaji said :—

To-night I see no signs of sorrow on your faces ; instead I find joy writ large on your faces, and so should it be. One by one, many eminent leaders and great sons of the Motherland have passed away when the country needed them most. We should not weep for them. Do not think that we are to-night offering the body of clay that enshrined that beautiful soul to fire. In fact you are all witnesses to the fact that the high soul has sacrificed itself for the country.

It is not the first sacrifice in freedom's cause. Late Lokmanya Tilak's sacrifice is still fresh in your memory. I attended the last rites of Lokmanya Tilak and witnessed the same scenes that am witnessing to-night. Then at Bombay I saw cheerfulness on the faces of the people. At first I could not understand the reason. When I overcame my personal attachment for the Lokmanya, I realised the reason. I felt that the people understood



the martyrdom of the Lokmanya better than myself. Hence they were cheerful. The Lokmanya's martyrdom had crowned his life. Similar was the case with the great Pandit Motilal. So had done Deshbandhu Das, Lajpat Rai, Hakim Ajmalkhan, Maulana Mohommad Ali who died for the cause of the country. His sacrifice was a matter of joy and pride.

I am glad you are cheerful to-night. But your cheerfulness is only proper if you have realized its importance. Otherwise the world will look upon you and say: "They are brutes. Such an eminent leader of theirs is dead and they are not in mourning." But I hope the world will not take it in that light. If you regard it as national *yajna* and feel it your duty to take part in it, then one and all, take the sacred vow on the holy Ganges bank to-night that you shall make all the necessary sacrifice required for the attainment of complete independence and for the good of the country. If you take this vow to-night we will achieve our object.

Panditji was a hero and a great fighter. He fought many battles of the country but he also gave a tough fight to Yamaraj, the God of Death. Panditji has, in fact, been successful in this fight too. Yesterday morning at Lucknow Panditji's condition and courage had assured every body that Panditji would successfully recover from the illness. Only yesterday I

told Pandit Motilal "If you gain health, then I will have my *Swaraj*."

Pandit Motilal replied smilingly "*Swarajya* has already been achieved. When sixty thousand men, women and children have made splendid sacrifices, when people have patiently borne *lathis* and bullets, what else but *Swarajya* can be the result?"

Panditji had a very high soul and perfect peace of mind. I am sorry last night I could not talk to him, but Mrs. Nehru who was by his side told me that it was God's special favour that Panditji was heard reciting sacred *gayatri mantra* last night.

Panditji was not a blind follower of religion and sometimes he used to make fun of religion ; because he was opposed to the fraud that had crept into religion. Sometimes Panditji felt annoyed at religious fraud but I knew well that Panditji was a believer in God and last evening he was continuously reciting the lovely name *Rama*. He never uttered a sigh of grief or pain. It was a lesson to all those who wanted to be truly religious. Panditji has by his sacrifice purified himself. Myself and others should also be purified in the same *yajna*. Panditji had offered himself, his only son, his daughter-in-law, son-in-law and his all at the altar of the motherland.

It is your duty to take a sacred vow which may enable India to achieve success in her resolve.

India has taken a vow which has today moved the whole world and has attracted world-wide attention. It is India's resolve to attain complete independence by non-violence and truth as the only weapon. The world is watching the great experiment anxiously. You must take a vow to make it a complete success. I pray to God to bless us with strength enough to achieve success in the mission.

## X

**Feeling in the Country.**—The whole country was plunged into the deepest mourning at the news of Pandit Motilal's passing away at this critical moment in the affairs of the nation.

Thousands of messages of condolence were sent to the widow and son of Panditji, from the highest to the lowest in the land, on receipt of the sad news of his death; and resolutions of grief and condolence were adopted in great public gatherings and important public bodies all over the country. Business was suspended, and spontaneous *hartal* observed at most places.

We cull below only a few of these messages and resolutions of condolence.

**Messages of Condolence.**—The Private Secretary to His Excellency the Viceroy sent the following telegram to Mrs. Motilal Nehru, Allahabad:—

The Viceroy and Lady Irwin greatly regret to learn the sad news of your husband's death and send

you and your family a message of most sincere sympathy in your sorrow.

Mr. Vallabhai Patel, President-elect of the Indian National Congress, 1931, wired :—

Deeply grieved to receive the sad news. The whole country mourns Panditji's death. The nation can never forget his unequalled record of service and sacrifice in the cause of national freedom. His absence specially at the present juncture is an irreparable loss to India. Every Indian heart goes out to you in your great bereavement. Convey my most heartfelt condolence to the whole family.

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Mr. J. M. Sen Gupta, Bengal Congress leader, wired to Pandit Jawarharlal :—

Nation joins weeping with you in mourning the loss of your father and nation's father.

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Sir Hugh Cocke, leader of the European group in the Assembly, sent the following telegram to Mrs. Motilal Nehru :—

The European group in the Legislative Assembly send you their deepest sympathy in your bereavement and mourn the loss of a most respected former comrade in the Assembly.

The Working Committee of the Congress meeting at Allahabad adopted the following resolution on February 13, 1931 :—

“This meeting of the Working Committee places on record its deep sorrow at the death of Pandit

Motilal Nehru whose counsel was a source of strength to all Congress workers ; whose noble sacrifice was an inspiration to the ease-loving and whose courage was a solvent for the weakness of the weak. This meeting conveys respectful condolence to Srimati Swaruprani and other members of the family."

On Monday, Feb. 9, 1931, Sir George Rainy, Leader of the House, moved a condolence resolution in the Legislative Assembly on Pandit Motilal Nehru's death, expressing sorrow and grief of the Government of India, and associating with it His Majesty's Secretary of State. He said :

"We have met to-day under a shadow of grief that India has suffered by the removal of Pandit Motilal Nehru who, for the last ten years, held the foremost place in the public life of the country.

"Of his policy and achievement, this is not the day to speak. So far as he is concerned the chapter is closed and the records are sealed up to await the judgment of the historians, but that he will fill a large space in the historians' pages none of us can doubt. However the value of his work may be assessed, no one will question his whole-hearted devotion to the interests of India as he conceived them or impute to him any motive other than an unsparing desire to serve his country.

"There are many in this House who can speak of Pandit Motilal Nehru from a greater degree of intimacy than I could claim. He had a personality which impressed itself on the most unobservant. Eminent as a lawyer, eminent as a speaker and in the

first rank as a political leader, he could not but take the foremost place wherever he might be, whether within these walls or outside them. The quickness of his intellect, his skill in debate, his adroitness as a tactician and his strength of purpose rendered him a formidable adversary in controversy. These qualities which lent distinction to his character in private life as well as in politics, and it is these I myself often recall. An endearing courtesy, ready sense of humour, freedom from malice and bitterness and a wide and deep culture rendered him unrivalled as a host and the most charming of companions. We shall not again see in this House his well remembered figure, but we shall often recall that exquisite fitness of attire which aptly symbolised the clean fighter and the great gentleman and that impressive face, deeply lined and careworn, on which character and intellect were so deeply imprinted.

"On behalf of the Government of India, Mr. President, I have tried to say something of what is in our minds and hearts, and I am authorised to say that His Majesty's Secretary of State for India desires to be associated with our expression of regret and sorrow. I believe it would be in accordance with the wishes of everyone in this House, Mr. President, that you convey to the family of the deceased our deep sympathy in their bereavement."

Sir Harisingh Gour, on behalf of the Nationalists, requested the House to adjourn as a mark of respect to the memory of the leader who had sacrificed his life and liberty to the service of his Motherland.

India was poorer by the death of Pandit Motilal who after a brilliant career as a lawyer, dedicated the rest of his life and fought the battle of India as a clean fighter.

Mr. Mahomed Yakub, on behalf of the Independents, regarded Pandit Motilal's death as a national calamity.

Sir Hugh Cocke, on behalf of the European group, felt it a privilege to be associated in the tribute to a great man and in the desire for the adjournment of the House out of respect to his memory.

The Raja of Kollengode, on behalf of the land-owners' group felt sure that Pandit Motilal's name would live in history as the maker of modern India. Their consolation lay in the fact that Motilal was able to witness the dawn of a new era of great promise.

Mr. T. R. Phookan, as a friend of Pandit Motilal, said that the latter was the hero of a thousand battles and that his spirit would inspire them to victory.

Mr. Amarnath Dutt said that he was one who sat at the feet of Pandit Motilal to learn political wisdom in the Assembly and, as such he felt that, in the death of his late leader, one of the brightest stars had fallen from the firmament of Indian nationalism.

Mr. Ranga Iyer stated that, in the case of Pandit Motilal, it might be truly said that "the good that men do will live after them and the evil is oft cremated with their bones."

Sir Ibrahim Rahimtullah, the President, associated himself with the observations of the previous speakers

on this mournful occasion and said it was most unfortunate that Pandit Motilal should have been taken away at the present juncture in the history of the Motherland when his services would have been most invaluable. Agreeably to the wishes of the House, he promised to convey the message of condolence to the bereaved family.

The Calcutta Corporation adjourned its special meeting on Monday, 9th Feby. as a mark of respect to the memory of Pandit Motilal Nehru after adopting a resolution of condolence.

**Motilal Day.**—In pursuance of the directions of Mahatma Gandhi, Sunday, the 15th February, 1931, the day fixed for the performance of the tenth day *Shradh* ceremony of Pandit Motilal Nehru, was observed as 'Motilal Day' throughout the length and breadth of India.

At Allahabad there was a complete suspension of business particularly in Hindu quarters. The occasion coincided with the *Shiva Ratri* festival, when the Hindus generally observe fast; many persons kept a fast on the day on account of the *Shradh* ceremony.

The first *shradh* oblations were offered to the spirit of the late Pandit Motilal Nehru by his son Pandit Jawaharlal Nehru on Sunday morning at the Sangam and in the afternoon the public carried on the programme laid down by Mahatma Gandhi for the celebration of the Motilal Day.

At about 12-30 p. m. a procession was organised in



front of the Khaddar Bhandar and it marched to the *bund* at the river bank where a public meeting was held just below the *bund*. Strict silence was observed by the processionists during their march and they proceeded to the *bund* in rows of two in a remarkably orderly fashion keeping to the left of the road.

An overwhelming majority of the processionists were clad in Khaddar. While the procession was on march many people were seen hurrying to the meeting place on vehicles or on foot, and by 3 p. m. the time fixed for the meeting, thousands of people assembled below the *bund* and took the pledge of *Purna Swaraj* in presence of Mahatma.

'Motilal Day' was observed at Bombay in accordance with the programme chalked out by Gandhiji. As per instructions a large number of citizens observed fast, while some others who were religiously-minded commenced their fast by taking sea baths early in the morning. A *hartal* also was observed with the exception of a few Mahomedan and Khadi shops which remained open. Congress workers and volunteers hawked hand-spun Khadi during the morning.

The regular programme of the day commenced with a mommoth silent procession at 3 p. m. which started from Azad Maidan and after passing the important thoroughfares terminated at Choupatti sands. A monster meeting was held at Choupatti at 3 p. m. where Mr. Koladkar paid glowing tributes to Pandit Motilal Nehru in the course of a brief speech and read the following pledge which was repeated by the audience :

We assembled in this meeting for commemorating the great and noble sacrifices of the late revered Motilal Nehru, hereby solemnly resolve to dedicate ourselves more fully than hitherto to the cause of the country so as to hasten the advent of *Purna Swaraj*.

A similar procession and meeting were held simultaneously in the mill area.

'Motilal Day' was observed at Lahore with a partial *hartal* and procession. A largely-attended public meeting was held outside the Moti Gate. Ladies predominated in the procession. The programme laid down by the Congress Working Committee was gone through.

The 'Motilal Day' celebrations commenced at Madras in the morning in the Gokhale Hall with a crowded meeting of students at which a dozen speakers paid tributes to Pandit Motilal Nehru's sacrifice. A big procession was taken out in the afternoon.

Complete hartal was observed in the city in a peaceful manner and in every quarter of the city the streets wore a deserted appearance. From midday people of all ages and of all shades of opinion began to assemble in every Park both in Northern and Southern section of the city and in all the Parks Pandit Motilal's portrait was placed under a huge tri-coloured flag, and flowers and garlands were offered with the utmost solemnity.

From every centre people proceeded to join the main procession on its way to the Maidan where a mammoth meeting was held and pledge of Purna Swaraj adopted.

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"I hate the word 'Indianisation' from the bottom of my heart. We are in India and there is no question about Indianisation. What India wants first is to get rid of Europeanisation of the Army."

—*Pandit Motilal Nehru.*



PANDIT MOTILAL NEHRU



A VALIANT FIGHTER.



AN EMINENT LEGISLATOR.

# **SPEECHES**



# Struggle for Freedom.

FRIENDS, (\*)

I am deeply grateful to you for the honour you have done me in electing me to preside for a second time over this great National Assembly. That honour, signal as it is, carries with it a burden which is none too light, and the bravest amongst us may well hesitate to shoulder it. You are well aware how I have hesitated. But the exceeding kindness with which you have repeated your confidence in me has left me no choice but to bow to your will and to endeavour to shoulder, as best as I can, the heavy burden of guiding a great nation in its struggle for freedom. That very kindness also emboldens me to expect from you every indulgence and co-operation in the high task with which you have entrusted me.

Nine years ago I had the honour to preside over the National Congress. Martial Law with all its grim consequences and implications had just come and gone, and we were preparing for a great tussle with our alien rulers. That trial of strength came soon after and although we did not emerge victorious, the honours of war were with us and the promise of future victory was ours. The great giant, that is India, woke up for a while and the very awakening shook the foundations of British rule. There was a

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\* Presidential Address delivered at the Calcutta session of the Indian National Congress (1928).



reaction and a relapse ; but again we see unmistakable signs of another and a greater awakening, and who will stop India in her forward stride when she is fully awake ? Non-co-operation followed Dyerism and O'Dwyerism. Something perilously like these is again in the air, and again we are on the threshold of another great struggle for freedom.

In this struggle we shall unhappily miss many familiar faces, many trusty counsellors and gallant warriors who are no more. We shall miss Hakim Ajmal Khan and Lala Lajpat Rai whose death in the course of the year has deprived India in the moment of trial of two of her most trusted and valiant sons. Another ex-president who has passed away was Lord Sinha. Among other national workers who have gone I should like to mention specially Maganlal Gandhi, Gopabandhu Das and Andhraratna Gopal Krishnayya. On behalf of this Congress I offer its respectful condolence to the families of our departed colleagues.

I now proceed to place my views and suggestions before you on the immediate work before us. To prevent disappointment I must at the outset prepare you for a plain matter of fact statement from a plain matter of fact man of the world as it is, and not of the world as it should be. Let me warn you that you will be disappointed if you expect from me anything in the nature of high idealism presented in an attractive setting of word and phrase. Not that I deprecate idealism in the broader sense or am less convinced than anybody else of the supreme necessity of keeping the highest ideal in view, provided you try to live up to it. But pure idealism completely

divorced from realities has no place in politics and is but a happy dream which must sooner or later end in a rude awakening. However high pitched the ideal may be, and the higher the better, the actual work to be done in the pursuit of that ideal must be guided solely by practical considerations. I am sure that we are all agreed upon that ideal though we give it different names. I am equally sure that we are also agreed upon the only way to achieve it. But the tragedy of it all is that we have so magnified our differences on what to my mind are non-essentials that we are unable to be the wood for the trees. These differences lie at the root of our failures, and are responsible for conflicting schools of thought which have rendered common action impossible. In my humble judgment the whole trouble is traceable to varying tendencies in the different schools to over-rate some and under-rate other aspects of the situation. For instance there is one school of thought which exaggerates our weak points to such an extent as to feel utterly helpless in achieving anything except through the grace and good will of the very people who are oppressing and exploiting us. As against this there is the opposite school which takes little note either of our weak points or of the strength of the opposing forces and is ready to dash out full steam ahead on uncharted seas. It will be my humble endeavour to face the stern realities of the situation without blinking and then to suggest what seems to me to be the most suitable line of action for your acceptance.

It is, I take it, the duty of every man to help as far

as it lies in his power to make his country fit to live in. But the actual process to be employed in bringing about the necessary change from what is to what should be, depends upon circumstances which cannot be the same in all countries and at all times. The essentials considered in the abstract are always the same, but concrete cases present peculiarities of their own to which no general rule or particular example is wholly applicable.

No two peoples in the world have started from exactly the same point or followed exactly the same course. Indeed the same people have had to change their course from time to time to suit the altered conditions of ever changing situations. We can always profit by the failure of others but seldom, if ever, by their success. The reason is obvious. It is easy to avoid mistakes made by others if we find ourselves in the same or similar predicament in which those mistakes were committed, but it is impossible to bring into existence the potent factors which made for success in some other country if those factors are entirely lacking in our own. The practical problem before us is to find out how under the conditions in which we live and with the materials at our disposal we can deliver the goods at the lowest cost of production. False analogies from other countries can only help to confuse the real issue.

To form a true idea of the work before us we have to answer three questions :

(1) Where do we stand ?

(2) What is our destination ? and

(3) How can we reach our destination ?

I shall endeavour to answer these questions to the best of my ability more from the practical than the dialectical point of view.

We have first to make sure of where we stand so as not to lose our bearings after we start. The point has a two-fold aspect—one in relation to the Government and the other in relation to ourselves. As to the former we all know that whatever political or civil rights we possess they are in the nature of a conditional gift enjoyable during the pleasure of our rulers. They can deprive us, and indeed have from time to time actually deprived thousands of us, of those rights at any moment with or without reason at their sweet will by using the vast reserve of arbitrary power which they retain in their own hands. I will not encumber this address by repeating an oft told tale. It is well-known how the present Government has re-inforced and consolidated itself in the political and economic spheres by legislative, executive, and administrative action. It will serve no useful purpose to take you through the long list of repressive and oppressive measures which have been taken in India from the beginning of British rule down to the present day, or to remind you of how, after we were thoroughly crippled, the door to recovery was completely barred against us. We have been persistently denied all "opportunity for self-realisation, self-development, and self-fulfilment" for which Deshbandhu Chittaranjan Das fought so valiantly in the closing years of his life. We have been scrupulously shut out of all effective part in the internal and external affairs of our own country.

The solemn promises of responsible government have found fulfilment in that colossal fraud, the Statutory Commission, which is now careering along our streets leaving bleeding heads and broken bones behind. Nothing has so clearly brought out the cold callousness of the officials on the one hand, and the utter helplessness of the people to protect themselves on the other, as the progress of this Commission from town to town. To my mind the circumstances attending it are symptomatic of a grave organic infection and not merely of the well-known functional incapacity of the Government. It shows the presence of the toxin of Dyerism in their internal economy. The happenings at Lahore and Lucknow are only mild eruptions on the surface indicating the deep rooted disease within. We are indebted to the stupidity of the special correspondent of an English newspaper of Calcutta for a glimpse into the real mentality of the members of the Commission which may be taken as a faithful reflection of the mentality of the Government. He says :

“The Cawnpore scenes have apparently put the finishing touch on a psychic impression which the riotous scenes in Delhi had begun. Some of the Commissioners are making no secret of their indignation that such things should be permitted. I feel that if some of the Commissioners had to write their report this week Lord Salisbury's famous prescription in another matter, ‘twenty years of resolute government,’ would recommend itself much more to their minds than any advance whatever.”

So that the only way to achieve responsible

Government for India is to fawn upon the great Commissioners and flatter them with a false declaration of confidence. And the surest way to invite "twenty years of resolute government" is to show your true feelings about the commission. All I need say is that India will refuse to take responsible government as a reward for servility and will welcome "resolute government"; but whether it will last for twenty years the future alone can decide. This prophet of evil has even dared to envisage the future. He proceeds to say :

"I seemed to sense a vision of realities stark and grim, and catch from the future the tramp of marching men."

These remarks were called forth by the grand boycott demonstration which greeted the Commissioners on their arrival at Cawnpore. It is remarkable that while this correspondent was sending his inspired vision, the Police Superintendent of Cawnpore was writing to the organisers thanking them for the excellence of their arrangements and the absence of any untoward incident. That letter has, I believe, been published in the press. But the editor excelled the correspondent, as was befitting his superior position, by indulging in a particularly venomous attack, in the course of which he threatened resistance of the Indian demand for freedom to the "last ounce of ammunition." I am sure that if this editor and his correspondent had an ounce of discretion between them both, they would not have so easily given away official secrets. But we must thank them for their timely warning and assure them that we are

ready. There can be nothing better than 'resolute government' at this juncture to bring matters to a head.

Our English friends affect to be shocked at these demonstrations. I should have ignored the foolish talk in which they have indulged but a responsible statement has recently been publicly made in this City on the subject by the Viceroy, and I feel that I cannot allow it to go unchallenged. However much one may regret untoward incidents, the right to hold peaceful demonstrations to give expression to strong public feeling has never been doubted. The demonstrations held after the return of the Commission to India have been characterised as "unmannerly and offensive." My answer is that such demonstrations must in their very nature be 'offensive' to those against whom they are made, and it is hardly reasonable to expect drawing room manners from a hostile crowd. The Viceroy has uttered two platitudes and a threat. The first platitude is; "However much those who organise such demonstrations may themselves deprecate violence they are, when it comes to the point, often quite incapable of controlling the forces they have excited." The second is: "Those who deliberately embarked on a course so crude, so senseless and so dangerous, whatever the object they may mistakenly desire to serve, incur a very heavy responsibility,"

The threat is that "it is the plain duty of Government to take whatever steps it deems necessary to prevent the recurrence of these discreditable incidents."

I agree with His Excellency on the first platitude and would also agree with him on the second if he could substitute the word "natural" for the words "crude and senseless."

But both platitudes have no relation whatever to actual facts. As regards the threat it was anticipated by the English newspaper a week before; it indicates an early materialisation of 'resolute government'. I have already dealt with the latter and have nothing further to add. In regard to the former, I have to point out that it has been established to our entire satisfaction by public statement of responsible Indian leaders, which no amount of departmental enquiry can controvert, that all the violence at these demonstrations was started by the Police, and attempts made by the people at one or two places to retaliate were speedily put down by their leaders. But if a stray missile struck a motor car, one of the occupants of which happened to be a lady, or some men in the large crowds came too near the great Commissioners and waved their black flags in close proximity to their highly respectable noses, is it a matter about which any undue fuss need be made? I am sure that under similar circumstances worse things would have happened in England. I shall like to put a few questions to those who have effected righteous indignation at the happenings at Lahore, Lucknow and Cawnpore. Those questions are:

- (1) Would it be possible in any European country more specially in England for a commission of enquiry, which the people looked upon as



a national insult, to travel in the comfort and safety enjoyed by Sir John Simon and his colleagues in India ?

- (2) Would not all the silken flags and gold embroidered decorations such as were displayed in Butler Park have been torn to shreds and all the beautiful multi-coloured electric lamps, shining on them, smashed to pieces, if any attempt were made in England to entertain publicly, men connected with a mission as highly unpopular among Englishmen as Sir John Simon and his colleagues are among Indians ?
- (3) How would any Englishman like his house to be broken into, his guests treated to a sound thrashing and then arrested and imprisoned for a night for making a peaceful demonstration from his own terrace ?
- (4) How would an Englishman like to be imprisoned in his own house, for however short a time, for holding opinions against the Government of the day ?
- (5) How long would a government last in England which allowed the things mentioned in questions (3) and (4) to happen ?

We know that the house of the great nationalist nobleman of Oudh, the Maharaja of Mahmudabad, was surrounded with a cordon of police while his reactionary compeers were entertaining the Commission in a neighbouring park. The Maharaja, as is well-known, bravely stands for the boycott of the

Commission and has refused to take part in any function given in its honour. Where is the liberty of the ordinary citizen when the premier baron of Oudh, a retired Home Member of the U. P. Government, decorated by it with the highest honours in its gift can be imprisoned in his own house, simply because he holds an opinion disliked by the Government? Is this anything very different from the "resolute government" foreshadowed by the Viceroy and the English newspaper. It has actually come upon us since.

The recent murder of a police official at Lahore has provided an excuse to those whose minds are already made up, to forge new weapons to destroy the forces of nationalism. It need hardly be said that the crime is to be regretted. Congressmen, whether belonging to the school of independence or that of dominion status, stand and have always stood, for a policy of strict non-violence and have given practical proof of the sincerity of their convictions on numerous occasions, including the recent incidents at Lahore, Lucknow, Cawnpore and Patna. It is at present impossible to say whether the Lahore murder had a political significance. But assuming that it had, we cannot shut our eyes to the fact that the real responsibility for such incidents lies on the shoulders of the government. History teaches us that incidents like these are symptomatic of a condition which can only be dealt with effectively by a wise and radical change of policy, and not by resort to coercive methods which defeat their own purpose and are resisted by the people with all the strength of which they are capable. But the bureaucracy has little use

for lessons of history. The orgy of repression has already begun in the Punjab and is likely to extend at no distant date to the other provinces.

Forgive me for taking so much of your time over the Commission. It might well have been completely ignored, were it not for the direct bearing it has on the work before us. It is a portent of evil, but not without the good which comes out of all evil. It has shown us the fine courage of our men specially the students, their serene coolness under the gravest provocation, their splendid stand against brutal *lathi* assaults with their own empty hands crossed on their chests, their gallant rescues of their comrades and leaders in utter disregard of the injuries inflicted on them. Let those who take this for cowardice try their "resolute government" and they will soon be disillusioned. They will have the satisfaction of shooting brave inoffensive men with their backs to the wall and chests bared to receive the bullet. .

Let us now turn to the economic sphere. To have an adequate idea of the continuous exploitation to which we have been subjected, and of the enormous extent of the economic hold acquired by England over us by legislation and otherwise, it would be necessary to review the whole period of the British occupation of India. I shall however content myself by reminding you of a few historical facts the accuracy of which cannot be questioned. Besides maintaining the costliest civil and military services in the world at our expense, the solicitude of our trustees, as they delight to call themselves, has been mainly directed to the creation of markets in India for England's manu-

factures. This laudable object has been achieved by a number of direct and indirect methods too numerous to be dealt with satisfactorily in the course of this address. It is a long story beginning from the days of the well-known barbarities committed on the Dacca artisans and continued through periods of more refined spoliations till we come to the present day powerful banking, commercial, and industrial combines which are now successfully choking off indigenous enterprise.

But by far the most important economic hold which the Government has acquired over the country by legislation and otherwise is through its manipulation of the currency. It will be tedious to go into the history of the highly technical question, but the fact is now admitted that the present depression in Indian commerce and industry, and the low buying power of the cultivator are due to the action of the Government in forcing up the rupee from 1s. 4d. to 1s. 6d. It has resulted in pinching the over-taxed cultivator of  $12\frac{1}{2}$  per cent. in the price of the raw materials produced by him, and giving a bonus of  $12\frac{1}{4}$  per cent. to the importer of foreign manufactures into India. If the Government had the interests of India at all in view, it would have reduced the land tax by  $12\frac{1}{2}$  per cent. and imposed an import duty of  $12\frac{1}{2}$  per cent. on all goods which can be manufactured in this country, including textile goods.

It was left to Sir George Godfrey of the Bengal Chamber of Commerce to discover for the first time the other day that all the authentic records of India's prosperous trade and commerce before the advent of

the British were pure legends. In the course of an utterance at the last meeting of the Associated Chambers of Commerce attacking everything Indian, he justified the British exploitation of India using fiction for fact. He said: "If Lancashire, is accused of devastating India, Lancashire has equally devastated the English countryside." What a comparison! I presume Sir George Godfrey is in possession of some history of England unknown to the rest of the world which records the fact that the weavers of the English countryside were subjected to the pains and penalties that were inflicted, as proved by European witnesses, on Indian weavers by the East India Company, that the English Countryside was compelled to buy Lancashire cloth in the place of homespun; and the further fact that a Cotton Excise Duty was imposed on Lancashire textile while foreign goods were imported free of duty.

His reference to Indian shipping betrays the same fondness for fiction as his reference to textile does—for facts I must refer you and him to the excellent literature that Mr. Haji has published on his harmless and timely bill. Indian shipping was as deliberately sacrificed for the English interest as was India's greatest cottage industry. Now that a belated bill is before the legislature seeking somewhat to stop the continuance of the grave wrong done to Indian shippers by the English monopoly, the monopolists accuse us of attempting racial discrimination and pass a resolution demanding that the legislature shall not have the power to pass that bill.

Now content with distorting history this English



PANDIT MOTILAL NEHRU



FATHER AND SON.



LAST ILLNESS IN CALCUTTA.

merchant prince almost hit below the belt when he suggested that the framers of the draft constitution now before the country had sought to disfranchise Britishers. It was his duty before he brought so grave a charge against responsible men to make sure of his facts. He should have known that as soon as the Committee discovered that there was a possibility of a doubt they removed it in their supplementary report which was before the country days before Sir George Godfrey delivered his oration.

It will be clear from what I have said above that the process of forging new chains to keep us in perpetual bondage has gone on simultaneously with a long protracted, ruthless exploitation of our material resources. While, however, the Government has to answer for a great deal, it must be frankly confessed that we cannot honestly acquit ourselves of all blame for our present plight. The strength or weakness of a nation depends upon the strength or weakness of the tie which keeps its component parts together. In our case this tie has not for centuries been very strong and with the march of the new order of things has lost much of what binding force it ever had. There is no overlooking the fact that we are divided into a number of large and small communities, more or less disorganised and demoralised. The Government is undoubtedly responsible for the prevailing ignorance and poverty among the masses and in a very large measure for the growing hostility among the classes. But it certainly is not to blame for the evils of our own social system, which has relegated millions of our people as good as ourselves, to the



category of untouchables and depressed classes, and has put our women under restrictions which deprive them not only of many natural rights but also of the opportunity to render national service. Nor is the Government solely accountable for all the communal differences which has contributed a dark chapter to the recent history of our own times.

The Committee of the All Parties Conference has dealt fully in its report with the communal problem in India. It has offered a solution which I trust this Congress will accept. The problem before us however is a wider and more fundamental one than a mere adjustment of communal differences. It is : what place, if any, religion, as practised and understood to-day, should occupy in our public life ?

Whatever the higher conception of religion may be, it has in our day-to-day life come to signify bigotry and fanaticism, intolerance and narrow-mindedness, selfishness and the negation of many of the qualities which go to build a healthy society. Its chief inspiration is hatred of him who does not profess it, and in its holy name more crimes have been committed than for any professedly mundane object. Can any sane person consider the trivial and ridiculous causes of conflict between Hindu and Moslem, or between sect and sect, and not wonder how any one with a grain of sense should be affected by them ?

The aim of all education and progress is to develop the collective instinct in man ; to teach him to co-operate with his neighbour ; and to make him feel that his individual good depend on the good of society as a whole. Only thus can the selfish and

individualistic instincts be suppressed and the energy of mankind be diverted from mutual competition to co-operation for the common good. Religion as practised to-day is however, the greatest separatist force. It puts artificial barriers between man and man and prevents the development of healthy and co-operative national life. Not content with its reactionary influence on social matters, it has invaded the domain of politics and economics, and affects every aspect of our life. Its association with politics has been to the good of neither. Religion has been degraded and politics has sunk into the mire. Complete divorce of one from the other is the only remedy.

But this is not all. A strange fatality has been pursuing our political activities from a very early stage. We have never been entirely free from serious differences among those who have taken up the patriotic duty of liberating their country in right earnest and have not winced at any sacrifice in discharging it to the best of their ability. These differences have inevitably set back the hands of the clock and opened the door to disruptive forces. There have been serious splits among the leaders which have spread with lightning rapidity to the rank and file on almost every occasion when a forward move has been taken or even contemplated. We would do well to profit by the lesson of the past lest the inexorable fate which has been pursuing us for the last 20 years or more overtake us again. It is close upon our heels already in the garb of socialism and will devour both complete independence and dominion status if you let it approach nearer.

The brief outline I have given above will show that we stand at present in the thickest part of the wood. We suffer from two sets of serious disabilities—those imposed upon us by foreign rule and those of our own making. It is difficult to stand against the foreigner without offering him a united front. It is not easy to offer a united front while the foreigner is in our midst domineering over us.

The two sets of disabilities together form a vicious circle around us and we stand in the centre, heavily handicapped by one in trying to get rid of the other. We have to break through the vicious circle before we can hope to be out of the wood. .

This is my answer to the question—where do we stand ?

The second question is what is our destination ?

My answer straight and simple is **FREEDOM** in substance and not merely in form, by whatever name you call it. The Madras Congress has declared the goal as complete independence, The All Parties Committee has recommended dominion status. I have explained my position more than once but with your permission I shall re-state it here as clearly as I can. To put it in a nutshell it comes to this: I am for complete independence—as complete as it can be—but I am not against full Dominion Status—as full as any dominion possesses it to-day—provided I get it before it loses all attraction. I am for severance of British connection as it subsists with us to-day but am not against it as it exists with the Dominions.

Let me explain. National freedom unrestricted and unqualified is the natural craving of the human soul. I do not believe that there is a single Indian, be he or she a member of a party or group, or one completely detached from all parties and groups, who does not love freedom or will not have it. Differences arise only when the question is raised whether it is possible to have and to keep freedom; and it is then that we find opinion sharply divided. There are those who have the faith in them and in their countrymen to answer the question by an emphatic "yes"—and I may at once say that I am one of them. But there are also those who will shake their heads, some from conviction and others in doubt. Complete independence is the goal of the former, dominion status that of the latter. I will not undertake a fruitless enquiry into the relation or want of relation between independence and dominion status. It does not matter to me whether theoretically they belong to the same or different stocks, or whether one is or is not the negation of the other. What matters to me is that dominion status involves a very considerable measure of freedom bordering on complete independence and is any day preferable to complete dependence. I am therefore not against an exchange of our abject dependence with whatever measure of freedom there is in full dominion status if such exchange is offered. But I cannot make dominion status my goal as it has to come from another party over whom I have no control. The only way I can acquire such control is by working in right earnest for complete independence. I say 'in right earnest' because I know mere

bluff will not take me far ; it is only when complete independence is in sight that the party in power will be inclined to negotiate for something less. Empty bluff will not carry us to that stage. Solid work and ungrudging sacrifice alone will do it. When the work is done, and sacrifice made, the party having the whip hand will dictate. Whether it is to be dominion status or complete independence will depend upon whether the conditions then prevailing are similar to those of Ireland or to those of the United States of America at the time when each came into what she now has. Meanwhile, there is nothing before us but a protracted life-and-death struggle on the one side, and continued repression relieved by an occasional dose of undiluted oppression on the other. It follows therefore that whatever the ultimate goal, we must be prepared, to traverse the same thorny path to reach it. If we are not so prepared independence will ever be an idle dream and dominion status an ever receding will-o'-the-wisp.

I must here notice another part of the Viceroy's speech from which I have already quoted. He draws a dark picture of the damage that India is "likely to suffer at the hands of its false friends who would guide it towards the morass of independence." The description of 'independence' as a 'morass' is rather original. It would be more correct to say that we have to cross a morass before we arrive at independence. But the morass surrounds us on all sides and we can arrive nowhere except by crossing it. That being so our friends who support the movement say : why not make for independence pure and unadul-

terated which depends upon your own effort, however long and arduous, instead of floundering in the direction of dominion status which depends upon the good will of Britain. They argue that it will be sheer waste of time, energy, and sacrifice first to struggle in the morass for dominion status and when you find your way barred then to bungle back to the starting point and plunge again into the same morass to struggle for independence. From Lord Irwin's point of view this argument is unanswerable. From my point of view dominion status is passed on the way to independence, and if it is refused you have simply to press on to your destination which must always be independence. Lord Irwin's argument based on loyalty to the Crown can easily be overstressed. Loyalty is a fine thing but the strain it can bear is not unlimited.

But it is obvious that independence does not mean walking out of the world. If you continue to live in it you must come across others who also live in the same world. It is neither necessary nor possible for the existence of an independent state in the present day world conditions to cut off all political, economic, and social relations with other states. Indeed the more independent you are the more necessary it will be to establish relations all round. When, therefore, we talk of the severance of the British connection we do not mean a cessation of all relations, but such appropriate change in existing relations as is necessary to transform a dependency into a free state. The extent of the change will depend upon the extent of freedom we achieve. If it is dominion status the

change, as it is now well understood, will be from a dependency to 'an autonomous nation, free and equal member of the British Commonwealth of nations.' If however, it is complete independence, India will stand out of the British Commonwealth of nations and the nature of her relations with Great Britain will be determined by treaty and mutual understanding. In either case some connection with other nations including the British must subsist if we mean to take an active part in shaping our own future and that of the world.

Mahatma Gandhi presiding at the Belgaum Congress said :

"In my opinion, if the British Government mean what they say and honestly help us to equality, it would be a greater triumph than a complete severance of the British connection. I would therefore strive for Swaraj within the Empire but would not hesitate to sever all connections if severance became a necessity through Britain's own fault. I would thus throw the burden of separation on the British people."

This was four years ago. Much water has since flown under the bridges. We have striven hard for Swaraj within the Empire but the British people have not so far shown any inclination to help us honestly to equality. All the indications have been to the contrary. Indeed responsible British statesmen have repeatedly declared that full dominion status is yet a far cry. I therefore fully sympathise with those who have exhausted their patience and have now raised the cry of complete separation. But let us fully grasp the meaning of Mahatma Gandhi. I

am sure he never meant that the moment we felt sure that Britain was not going to give us dominion status we are to declare for independence irrespective of our own readiness to enforce it. He was, to my mind, referring to the time when we acquired what I have described as the whip hand. The time admittedly has not arrived.

In the same address Mahatmaji said :—

“The better mind of the world desires to-day not absolutely independent states warring one against another but a Federation of friendly inter-dependent states. The consummation of that event may be far off. I want to make no grand claim for our country. But I see nothing grand or impossible about our expressing our readiness for universal inter-dependence rather than independence. It should rest with Britain to say that she will have no real alliance with India.”

And then comes the pregnant passage which I earnestly commend to your very serious consideration. It runs thus :—

“I desire the ability to be totally independent without asserting the independence. Any scheme that I would frame while Britain declares her goal about India to be complete equality within the Empire would be that of an alliance and not of independence without alliance.”

So far as Britain's formal declaration of her goal about India is concerned, it is complete equality within the empire. The scheme prepared by the All Parties Committee and adopted by the Con-



ferences is therefore in full accord with Mahatmaji's views.

The truth is that we cannot get anything from England except by proving our strength. The way to acquire that strength is to organise ourselves and our resources. Such organisation is as necessary for those who desire dominion status as it is for those who work for complete independence. That being so the obvious course is to work together up to the point the weakest of us is ready to go. If he is not disillusioned by the time we reach that point, let us leave him there and forge ahead.

I must here ease the minds of those who fear that the moment dominion status is granted to us, we shall use it to throw off British connection altogether. In the speech from which I have already quoted Lord Irwin said :

"Those in Great Britain who sympathise most warmly with the ideal of India attaining at the earliest possible moment the status of any of the other great dominions of the Crown, will find the ground cut from their feet if British opinion ever becomes convinced, as some apparently are now endeavouring to convince it, that so-called Dominion Status was only valued by India as a stepping stone to a complete severance of her connection with the British Commonwealth."

There is no foundation for this apprehension and there is no reason whatever why we should seek complete severance of British connection if we are put on terms of perfect equality with the Dominions. If we are not put on such terms it will not be

dominion status; we will not take a colourable imitation. It must therefore be clearly understood that dominion status has to be offered and accepted with all its implications, its rights and obligations, which both parties will be in honour bound to respect and uphold. But, as Mahatmaji has put it, "we would not hesitate to sever all connection, if severance became necessary through Britain's own fault." It is conceivable that we may be driven to separation by the treatment accorded to us by Britain herself, and in that case we shall have precisely the same remedy as the dominions now have.

It will, I hope, now be clear why I say that I am for complete independence and at the same time not against dominion status, if the latter comes without avoidable delay. It is impossible to say which of the parties will have the whip hand at the psychological moment. Great Britain has the whip hand to-day, and the psychological moment for her to offer, and for India to accept, full dominion status, has arrived. If Great Britain will not avail herself of the opportunity India will have the whip hand to-morrow: and then will come the psychological moment, for her to wrest complete independence from Great Britain. No offer of dominion status will then be acceptable.

Objection is taken to the preparation of any scheme of government on dominion lines by us on the ground that it is for Britain and not India, to make the offer. It is pointed out that those who enjoy dominion status did not fight for it but achieved it in the course of their struggle for complete independence, the

offer having come from Great Britain. I am quite clear in my own mind that substantially the same process will have to be repeated in India if we are ever to have dominion status, and as I have already pointed out, we cannot reasonably accept it unless complete independence is in sight. But I cannot understand why it is not open to us to offer terms to Great Britain, as much as it is open to her to offer terms to us. If the offer is honourable to those who make it as well as to these who accept it, it does not matter to me who is the proposer and who the acceptor. I do not believe that we have among the soldiers of independence a more fearless and selfless patriot and a greater fighter for the freedom of India than Deshbandhu Chittaranjan Das was. Let me recall to your minds the great speech he delivered at Faridpore in which he said that all he needed was a full and fair opportunity for self-realisation, self-development and self-fulfilment. He did not hesitate to make an offer of full co-operation to the bureaucracy if it would only afford that opportunity, show a real change of heart, and guarantee "Swaraj in the fullest sense to come automatically in the near future." That offer was no sign of weakness. It was made in the full consciousness of strength. "If" he declared "our offer of settlement should not meet with any response we must go on with our national work on the lines which we have pursued for the last two years so that it may become impossible for the Government to carry on the administration of the country except by the exercise of its exceptional powers.....and when the time comes we shall not hesitate to advise our

countrymen not to pay taxes which are sought to be raised by the exercise of their exceptional powers."

Those were the words of a statesman, a political philosopher and a determined fighter for liberty, a man who believed in the doctrine of self-reliance which he preached. It was not beneath his dignity to offer a settlement while he was preparing for a great fight. As a matter of fact, Britain has already made an offer of a kind in the most solemn manner she could, by embodying it in the preamble of the Government of India Act. It is true that this offer is utterly inadequate and wholly unacceptable. The proper course is to make a counter offer. This is what the All Parties Committee has done.

A good deal has been said about developing sanctions. On this point I am content to quote Mahatma Gandhi. Commenting on the All Parties Committee's Report he said in *Young India* :

"There is still much diplomatic work to be done. But more than the diplomatic work is that of forging the sanction. Pandit Jawaharlal Nehru truly observed that whether it was Dominion Status or Independence, a proper sanction would be necessary if the national demand was to be enforced. Bardoli has shown the way, if the sanction has to be non-violent. The Congress creed has non-violence as its integral part. There is no denying the fact that non-violence had receded in the back ground before Bardoli. But even as the Nehru report has made a unanimous demand possible, Bardoli has brought back the vanishing faith in non-violence. If, then, we are sure of the sanction, we need not worry

whether Swaraj is otherwise spelt Dominion Status or Independence. Dominion Status can easily become more than Independence, if we have sanction to back it. Independence can easily become a farce if it lacks sanction. What is in a name if we have the reality? A rose smells just as sweet whether you know it by that name or any other. Let us therefore make up our minds as to whether it is to be non-violence or violence and let the rank and file work for the sanction in real earnest even as the diplomats must work at constitution making."

I have now given my answer to the second question I formulated. It is :

Our destination is Freedom, the form and extent of which will depend upon the time when, and the circumstances under which, it comes.

Meanwhile there is nothing for us but to do the work necessary for all forms and all degrees of freedom. That work is one and the same and I now proceed to consider it.

It must be remembered that the same Congress which declared complete independence as our goal, by another resolution invited all parties to confer with its Working Committee to devise a constitution for India based on common agreement. It was then as obvious as it is now that no party outside the Congress was prepared to set its goal as high as complete independence from the point of view of its own conception of practical politics. The Congress must therefore be taken to have embarked upon the enquiry with full knowledge of this fact. What then was the object of directing the Working Committee

to call an All Parties Conference or Convention if complete independence was not for the mere fun of it. The importance of the Convention and the political value of its agreed conclusions are quite obvious and must have been so to the Congress when it passed the resolution. But the Congress could not, at the time, have any clear conception as to what the next step would be after the All Parties Convention came to decisions. That would depend upon the extent of agreement reached and the nature of the decisions arrived at which could not then be known.

The Working Committee has faithfully carried out the instructions of the Madras Congress and called the All Parties Conferences. The remarkable success of these national gatherings, in their endeavour to find the highest common basis for a constitution for India, is well-known. Never before, in the history of our public movements, so many organisations—political, labour, religious, communal, and commercial—as took part in those gatherings have come together on one and the same platform. There can be no doubt that the credit of this great achievement—perhaps the greatest since the day of Non-cooperation—belongs to the Congress which conceived the idea, and more especially to Dr. Ansari, the President of the Congress who never spared himself in carrying it out. The resolutions of the National Convention will come up before you in the course of this session. You will have all the materials before you and it will be your solemn duty to discharge the obligation inherited from the Madras Congress to determine the next step. You have

succeeded to the great asset left by the Congress—the goal of complete independence. You cannot shirk its liability. The future will depend largely on the manner in which you discharge that liability.

The recommendations of the main and the supplementary Report of the Committee appointed by the All Parties Conference are all based on the principle of the highest common agreement. That principle I earnestly commended to this Congress for its acceptance. The Congress is in itself an All Parties Conference and it is its duty to deal with every question coming before it from the point of view of the greatest good of all the parties and the people of India. So far the Congress has been discharging this duty on its own initiative, taking upon itself the responsibility of determining what is good for the people and regulating its policy accordingly. This is the first time in the history of the Congress that it invited the people of India through the various organisations representing them, to determine for themselves what is good for them. In doing so the Congress has acted on the principle of self-determination. Those invited have accepted the invitation of the Congress as they never did before—no, not even in the palmy days of Non-co-operation—when with all the millions behind it, the Congress was not supported by many well-known organisations. There is not one organisation—political, social, religious, commercial, industrial or labour—of any note or standing to-day which did not take part in the All Parties Conferences and the National Convention or which, having so taken part, has not







PANDIT JAWAHARLAL NEHRU.

given up much that it valued for the sake of unity. It is an achievement of which any country in the world might well be proud. That achievement will now be presented to you. Will you accept it or spurn it? If you have any faith in your claim for self-determination, you have no right to spurn it even if you disagree. The only question is, whether there is such a consensus of agreement on the scheme that it can be treated as self-determined. I say there is. The only dissentients are a few communalists. As regards them, I must say frankly that I do not understand them and am unable to reconcile their claim for special communal advantages with their desire for complete independence. Some of these would reserve to a handful the right to arrest the whole course of the country's legislation. Others are prepared to go back even on joint electorates if a few additional seats are not given to them in the legislatures. Their dissent with a scheme of dominion status can hardly be taken seriously.

I have commented adversely on the speech of the Viceroy delivered in this city recently, but I think I owe it to His Excellency to express my appreciation of another part of the same speech which is germane to the point I am discussing. He said :

"There is no use pretending that the different classes, the different communities, the different races in India will not have different standards, but in such disagreement there is nothing unhealthy or unnatural. If interests clash it does not mean that one set of interests is to be swept away or that one community need smother its individuality to suit the whole.

Each has its own good qualities, its own ideals to pursue, its own right to maintain but each should be capable of self-realisation in its own sphere and at the same time taking its own place in the whole scheme of National life."

I heartily endorse this sentiment but am not quite sure that His Excellency and I are not at cross purposes. I claim that the Report of the All Parties Committee allows ample scope to every community to pursue its own ideals and affords its ample opportunity for "self-realisation to its own sphere" and at the same time gives to each "its own place in the whole scheme of national life." I have however a shrewd suspicion that Lord Irwin does not mean the same thing. But let me proceed.

Apart from the principle of self-determination the only other criterion by which you can judge the All Parties scheme is real and lasting good of the country. Spurn it, by all means, if you honestly think that it is not for the real and lasting good of the country and only offers a temporary advantage, at the sacrifice of the ultimate goal. But do not spurn it, merely, because it conflicts with theories and dogmas which have no relation to the living facts of the situation.

Neither the authors of the recommendations, nor the Conferences which have adopted them, have put them forward as a counsel of perfection. Speaking for myself and my colleagues on the Committee, I can say that there is no one of us who, left to himself, would have produced the identical report which acting together we have considered it our duty to make.

There are points on which our recommendations run counter to the settled convictions of every one of us, as for instance reservation of seats for minorities. We were, however, compelled to recommend such reservation by the exigencies of the situation.

The one question, therefore that this Congress has to answer is whether these recommendations and resolutions, taken as a whole, are so utterly outrageous, so thoroughly inconsistent, with the real and lasting good of the country, that it is its duty to reject them, in spite of the consensus of opinion in the country behind them. If they are not, this Congress has no option but to accept them.

It will be observed that the recommendations are divisible under two main heads—general and communal. Both are so inter-related that you cannot accept the one and reject the other. We cannot overlook the Lucknow resolution, whereby all parties agreed that “every one of them will stand by it (the Report) as a whole and will refuse to accept any single part of it without giving full force and effect to all other parts.” There are communal and politico-communal organisations which favour dominion status and have, not only joined the communal agreements as parties, but given up what they considered substantial rights for the sake of an agreed constitution. Many hundreds of public meetings have been held throughout the country, attended by people of all shades of opinion, which have approved of the recommendations as a whole. It is impossible to say how many accepted the communal solution because of the draft constitution for dominion status, and how many

accepted the latter because of the former. We have to keep our faith with all. The course suggested is therefore not open to the Congress. It has either to accept both, the communal solution and the dominion status, recommended by the Conferences, without prejudice to its goal of complete independence, or to scrap the whole scheme.

The position, as I view it, is this. Here is a constitution agreed upon by the various parties, invited by the Congress to frame it. These parties know that the goal of the Congress is complete independence. They do not ask the Congress to change its goal, but present to it the result of their labours such as it is, and say that they are prepared to go thus far and no further at present. They offer their co-operation and demand that of the Congress, to enable both to reach the point up to which they are prepared to go. After that point is reached they reserve liberty to themselves and to the Congress to consider the next step. Is the Congress going to refuse them this co-operation and this liberty? Is the Congress after bringing them together going to send them back to the wilderness in isolated groups, each to shift for itself, and leave the Congress to wrangle over the respective merits of complete independence and dominion status to the end of time? If the Congress will do that, it will abdicate its proper function to guide the nation on its forward march. The occasion calls for skilful generalship, and not academic discussions which take us nowhere. The nation is knocking at your door. You must open it wide—wide enough for every one to enter, or lose your rightful place of high com-

mand. My advice to you is to accept the offer. If you do so the way to your destination is clear.

Begin at the point at which the All Parties conference have now arrived and push forward with them as far as they would go, then pause and take stock of your equipment, and finally throw the strength of your whole being into one great effort to reach the goal.

That is my answer to the question: how can we reach our destination?

The first, and the most obvious step is to set our own house in order. For this purpose, rally all the parties under the banner of the Congress and prepare to march shoulder to shoulder with them to the farthest end of the common road. That will be the first part of the arduous journey. I suggest the following programme for it:

1. Popularising the communal solution, agreed to at the All Parties Conferences, in the country by intensive propaganda in the press and on platform and organising village to village lectures.
2. Organising similar propaganda in regard to the resolutions of the Delhi Unity Conference and the Madras Congress, with such improvements as this Congress might make on communal matters, other than those dealt with by the Conferences.
3. Work among the untouchables and depressed classes.
4. Organisation of labour, agricultural and industrial.

5. Other village organisations.
6. Popularising khaddar and boycott of foreign cloth.
7. Campaign against social customs which retard social intercourse and national growth, more especially crusade against the Purdah and the other disabilities of women.
8. Intensive campaign against the drink and opium curse.
9. Publicity.

It will be observed that this is a predominantly social programme. I claim no originality for any of its items and have merely selected them out of a long list which with the exception of the first item has been before the Congress and the country for years past. I may however, be pardoned when I say that we have so far not done much worth speaking in carrying out the constructive work. Common-place as this programme may appear, it is the only true foundation on which the hopes of the high priests of complete independence as well as those of the votaries of dominion status, can be safely built. To the former I say, that the measure of their capacity, for the tremendous sacrifice that the first real step towards their goal will demand is the measure of their success in carrying out this seemingly unpretentious programme. To the latter I say, that the only chance there is of dominion status being ever offered to them lies in the complete fulfilment of this very programme.

Large sums of money and organised work throughout the country are necessary if we are to set about

the business in right earnest. It is not merely the business of any particular organisation or individual, but of all organisations and all individuals in the country who have the least desire to attain any measure of freedom. Among those who took part in the Convention there were the representatives of all interests in the country—there were the wealthy, the well-to-do, and the poor. Let the wealthy give of their abundance, the well-to-do of their savings, and the poor of their pittance. Let the Indian Princes, great and small, come forward with munificent donations, and give practical proof of the great solicitude they profess for the general well-being of their country. In the social part of the programme all can join including Government servants. But will the Government let them? This is the acid test of the honesty of the pious intentions and wishes expressed by British statesmen in England and India. Let the Government, if it honestly means what it professes, publicly declare that the Indian Princes, the Indian commercial and industrial magnates, the great Zamindars, and Government servants, have full liberty to help the social work in every way possible. Let there be no secret instructions to the contrary in sealed covers or in cipher, circulated at the same time. Let the English Banks undertake that they will not turn away Indian commercial and industrial concerns from their door if they subscribe to this fund. Let these three things be done, and I shall see that enough money is forthcoming within a very short time for the full fruition of this programme.

But we Congressmen need not depend upon the



pious wishes and intentions of the British bureaucracy and those who are interested in maintaining it in power. The real work has to be done by Congressmen with the help of the progressive parties in the country.

I shall now examine the various items of the programme in relation to Congressmen.

Items 1 and 2 need no explanation. It will be observed that I have confined these items to the communal part of the recommendations as to which there is, and should be, no difference of opinion among us. The vital importance of the work is obvious.

As to untouchability, a great deal has been said but very little work has been done. It should, in my opinion, be the duty of every Congressman to help actively in this work to the best of his ability. Untouchability must be abolished altogether, so far as Congressmen are concerned, and no person who refuses to associate with untouchables as his equals should be permitted to belong to any Congress organisation. The All India Spinners Association is doing good work in both directions but it needs further support and its work should be supplemented by lectures on sanitation and formation of village and circle committees to promote co-operation among the villages.

No. 6 is the special province of the women of India and I call upon them to offer their services to the Congress.

The campaign against social customs which retard social intercourse and national growth is essential for the success of any programme but we have so far paid the least attention to it. The purdah and the other

disabilities of women are a curse which we should wipe out without delay. If woman is the better-half of man, let us then assist them to do the better part of the work of national uplift. To get rid of Purdah and to re-organise domestic life, money is wanted. Every individual can and should do his bit.

It is impossible to enter into further details in the course of the address and I would suggest that the All-India Congress Committee be empowered to divide itself into a number of sub-committees, each to be presided over by a member of the Working Committee, and to be in charge of one or more of the above items. The actual work will be done by similar sub-committees of the Provincial Committees who will look for instructions to the sub-committee of the All India Congress Committee in charge. All other details will be left to the Working Committee.

This is the general programme for all parties to carry out. It is as necessary from their point of view as that of the Congress, and I have reason to believe that they will give their full support. If we all do this work honestly and intensively the goal should be within sight. But if we are unable to work out this programme to the full measure expected, whether we retain the support of the other parties or not, for Congressmen non-violent non-co-operation is an obligation they dare not shirk unless there is a better aggressive programme before the Congress. Sirdar Vallabhai Patel and Bardoli have shown us that absolutely peaceful direct action is possible and can be made successful. He has shown what patient work among villagers can do. In your name, I tender

my congratulations to the Sirdar and his brave comrades—men as well as women.

We may not forget our countrymen overseas. Though the great work done by Mr. V. S. Sastri has eased the situation to a certain extent in South Africa the position requires considerable watching. The problem in Kenya is growing more and more serious and threatens the very existence of the Indian settlers there who, by the way, went there long before any European and enjoyed the happiest relations with the Africans. In Fiji and British Guiana too the pressure of British exploitation is telling upon our countrymen who have gone there, as much as upon the natives of the soil. But without forgetting them, the best aid we can render them is in the words of Sir Pherozsha Mehta, to gain our freedom here.

I have only dealt with what I consider to be the real crux of the present situation and in doing so I have tried to discharge what I conceive to be my duty to the country at this juncture. My views may not be acceptable to all, specially to the younger men. I quite appreciate their impatience. We need both patience and impatience. Patience with those who differ from us, impatience with ourselves. I have no quarrel with the ideals of the younger men nor with the practical work they have laid out for themselves. I hold with them that all exploitation must cease and all imperialism must go. But the way to do it is a long and dreary one. They know it and have themselves pointed it out. The work before the young and the old is one and the same. Only the mentality is different. Let the younger

men by all means preserve their own mentality, but let them not, for the sake of the very motherland they seek to serve, divide the country into more factions and parties than there are already. To the older men I repeat the same advice. Let them both remember the words of wisdom uttered by Mahatma Gandhi and Deshbandhu Chittaranjan Das I have quoted above. The masses want bread. They have no time to make experiments and no use for theories and dogmas imported from abroad.

I have done. You have been patient with me. My humble services for what they are worth are at your disposal. Let us sink our differences. Let us march forward shoulder to shoulder and victory is ours.

BANDE MATARAM.

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## The National Demand

\*The question I am going to raise is the old constitutional question. It is a hardy perennial which has taken firm root in the rich soil of the present system of Government. It thrives in the soil of benevolent despotism, receiving nourishment from the stream of executive high-handedness, which careers merrily along in its uninterrupted course throughout the year. It is an ever-green, which comes into blossom about this time of the year with what looks like the promise of a rich harvest of fruit. But the ever vigilant bureaucratic gardener, who knows that the fruit is likely to be poisonous for him, takes care to gather the blossom before it can fulfil its promise. He sets to work again. The plant, which is now a tree, shoots out new branches with greater wealth of foliage than in preceding years, and blossoms forth again at the appointed time. But that blossom again lies at the feet of the gardener before the fruit has taken form. This process goes on from year's end to year's end, the tree becomes stronger and stronger every year, and the annual blossom richer and richer, but always gathered before there is any sign of the fruit. The only consolation to those to whom the fruit is not poison but nectar is that the tree is still growing and that the blossom, when it next appears, will be out of the gardener's reach. It will then

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\* Speech delivered in the Legislative Assembly on March 11, 1929.

more than fulfil its promise. This is the exact situation. The national demand which is the hardy perennial of my metaphor has all these years been nourished on the excesses of bureaucratic power. Year after year it has come into full blossom at the budget debate but has never borne fruit. The time has now come when it is beyond the power of autocracy to prevent fruition in the ordinary course of nature. To those who have the eyes to see, it ought to be clear that all further attempts to hinder or delay this natural process are bound to end in disaster.

I will briefly recapitulate the history of this national demand. It was in February, 1924, that it was first put forward in this House by a Resolution which, in the form of an amendment, I had the honour to move. That amendment asked for full responsible government and a Round Table Conference. It asked that, after a Round Table Conference had come to conclusions, and framed a constitution for India, with due regard to the interests of the minorities, that constitution was to be given the sanction of law by Parliament after it had been passed by a new Legislature, elected on an enlarged franchise. This Resolution was passed by an over-whelming majority, but the only response which it elicited from the Government was a departmental inquiry. That response could not be improved upon by Lord Olivier who simply repeated, what had been said in this House, from his place in the House of Lords. We then refused the first four grants and rejected the Finance Bill. All the grants which we had refused

were restored, and the Bill was certified. This was followed by repression in Bengal. That is an oft-told tale and I do not propose to go into the details of that repression.

Tracing the history of the national demand further, we come to a period which was covered from July to December 1924. During this period, various conferences were held throughout the country, and these conferences unanimously supported the demand as it was adopted by this House. Then we come to year 1925. On the 20th February of that year the demand was again put forward on the Railway Budget by refusing the whole grant and the Executive Council grant. In May 1925 there was the celebrated speech of the late Mr. C. R. Das, in which he made a generous offer. All that he asked for, was to have a place from where he could grow. I am not repeating his words as I have not got them before me. He said that, unless there was something which enabled our countrymen to find themselves and to determine for themselves what was to be the constitution by which they were to be governed, unless there was free scope and no hindrance, there could be no co-operation with the Government. Lord Birkenhead wholly rejected this proposal. Meanwhile there had been the Muddiman Committee and the Majority and the Minority Reports of that Committee. Lord Birkenhead accepted the Majority Report and refused to adopt any of the recommendations made by the very weighty Report of the Minority. Then we come to September 1925. The National Demand again came up and it was put for-

ward in answer to a Resolution of Sir Alexander Muddiman as an amendment indicating the lines upon which the constitution for India would be acceptable to the country.

That again was a demand for full responsible government. That Resolution represented the agreement of the two principal Parties—I cannot say all Indian Members of the House, as some of them were out of it but it was an agreed resolution of the Congress Party and the Nationalist Party. That again was carried by a large majority. Then came the speech of the Governor General in the Council of State, where he formally rejected the offer. Now, in putting forward the demand in February 1924 and again in September 1925, I took occasion to make the position of the Congress Party perfectly clear. I told the House that we came in as non-co-operators, but that we were willing to co-operate on our own terms and that we were willing to discuss those terms with the representatives of the British Government but we would not submit to any constitution which was going to be imposed upon us from outside. Now that offer of co-operation was also rejected and the Muddiman Committee Report was accepted, I mean that of the Majority.

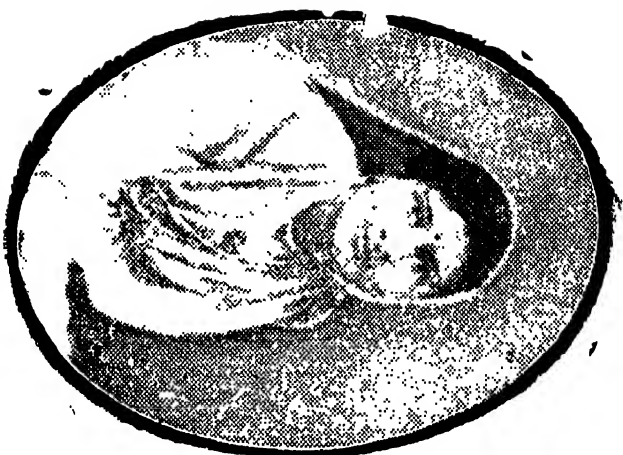
At this juncture the Indian National Congress, in December 1925, decided that Congressmen were to go to the country at the coming elections, gain its support to the National Demand, and work among the people for the necessary sanctions. When returned to this House they were to put forward the National Demand once again and if it was not heeded, they were to walk out. These directions were faithfully followed



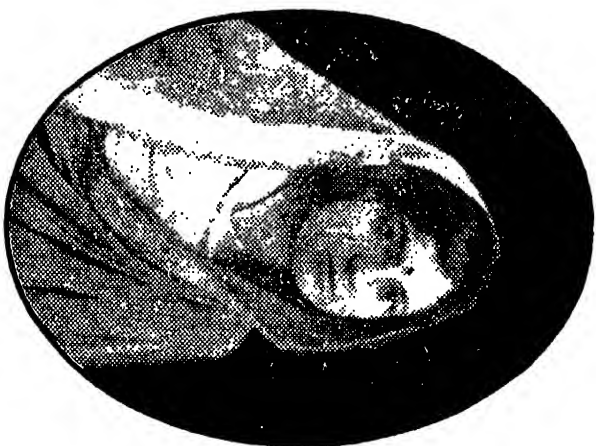
by Congressmen. They came back to the Assembly in larger numbers. They put forward the National Demand which I had the privilege of doing in March 1926. After the demand was put forward the whole of the Congress Party walked out.

Then came the next session—January to March 1927. All the Parties again stood by the National Demand, and reiterated it in the House on the Cut on the Executive Council. That was at the budget discussion of 1927. We then set about to set our own House in order, and various conferences were held in the country for communal and political unity, and to frame an agreed constitution. While these proceedings were going on and efforts were being made by the people to secure their rights, the Government in England appointed the Simon Commission. That Commission, as we all know, was appointed in spite of the wishes, almost unanimous, of the people of India. There never was greater unanimity on any point, than on this—that the Simon Commission was not wanted and that what was wanted was something very different, namely, a constitution made by ourselves. Now it may be that it was not precisely for the same reasons, but the fact remains that all Parties united on boycotting the Commission. By all Parties I mean all political Parties of any standing in the country, parties that had existed from before, and had exercised some influence in the politics of the country. Well, the boycott of the Simon Commission was decided upon and we all know how that boycott has been carried out. Sir John Simon and the members of his





Mrs. BEJOY LAKSHMI PANDIT  
(Daughter of Pt. Motilal).



Mrs. KAMALA NEHRU  
(Wife of Pt. Jawaharlal).

Commission will soon be returning, after practically finishing their work, to Delhi, and will shortly after that go back to their home, to the relief of the whole country !

As to what they have been able to accomplish, that of course nobody knows, but it will sooner or later appear, I am quite sure, in the form of a voluminous report. So far, however, as the country is concerned, so far as those who, from the beginning boycotted the Simon Commission are concerned, they have nothing whatever to do with it. As regards the Congress, it goes much beyond the other boycotting Parties. Even if Sir John Simon makes a report which satisfies other Parties, it is not going to satisfy the Indian National Congress. Indeed, so far as appearances show and so far as one can judge by the signs, they are going to produce a report which in all probability will satisfy nobody, except perhaps my friends, of the European Group and the Treasury Benches.

Well, in 1928, the National Demand was repeated in this Assembly. At the same time there was an All-Parties Conference held in Delhi. It continued its deliberations from February to March, and a Committee was appointed to recommend the principles of a constitution for India. Another Conference was held in Bombay later in May and another Committee was appointed. This Committee sat day after day, in the hot months of May, June, July and August and, working against time, produced a report.

The latest form which the old national demand

has taken is that contained in the constitution framed by this committee, over which I had the honour to preside.\* It is based on the constitution of the Dominions and claims the same form of full responsible government which the Dominions enjoy.

So far as this basic principle is concerned, the whole country and all shades of opinion, political, religious, commercial and industrial, are fully agreed. There is of course that important wing of the Congress which aims at complete independence, but there is no section of the people who will have anything less than full Dominion Status. As for the Independence Wing of the Congress it has also agreed to adopt the constitution framed by the Committee, if it is forthwith conceded by the Government.

This is not the place nor the occasion, to discuss the details of that constitution, and I must make it perfectly clear that I am not asking this House to adopt it either in whole or in part. I mention it as an important event which has happened in the course of the year, and also to emphasise the fact that, so far as Government are concerned, we are at one in our demand for responsible government of the Dominion type. We have on this motion nothing whatever to do with the merits or demerits of that Report on particular points of detail, however important they may be considered by some of us to be. What we are concerned with on this motion is the failure of the Government to give adequate response to the demand for full Dominion Status. I will not blink

the fact that there are certain points arising out of the general scheme of communal settlement proposed by the Committee which are the subject of controversy between certain sections of Hindus, Mussulmans and Sikhs. But having regard to the magnitude of the task undertaken by the Committee, I make bold to say that the existence of those points of difference is no matter for surprise. Indeed it is a matter for surprise that there are not more points of that nature. Such differences must in the very nature of things, arise in all countries inhabited by several communities, when attempt is made, for the first time, to frame a constitution, and experience shows that they have as a matter of fact, arisen in many countries. Such differences are never settled by argument but have a way of settling themselves when people are faced with bigger issues involving immediate attention and prompt action. Without, in the least, attempting to deprecate the attitude adopted by any section of the community, or pronouncing any opinion on its view-point, I have no hesitation in saying that the root cause of those differences lies in the common distrust of the Government. I have often heard responsible politicians say that they would not insist upon this or that point if they were only sure that the Government would concede the main demand put forward in the Report, namely full Dominion Status, based on adult suffrage, but as in their opinion, that is not to be, they feel they would be seriously handicapped if they resiled from the position taken up by them. The necessity for additional safeguards is felt only to meet a situation which

might arise by the Government forcing half-hearted measures of reform on the people. I am absolutely certain, in my own mind, that no sooner full Dominion Status becomes an accomplished fact, all differences will automatically adjust themselves. The Indian National Congress has no such misgivings upon this point, as it is determined to have full Dominion Status immediately, and nothing short of it. If it is not forthcoming in terms of the Resolution passed by the Congress at its last session in Calcutta, nothing in the Committee's Report will bind anybody and Congressmen will be free to follow their own programme and invite the country to join them. The door of negotiation and compromise between ourselves is still open and will always remain open. No constitution, however carefully drawn up, can subsist for all time to come. The working of all constitutions has, from time to time, revealed defects and hardships which have had to be removed. As I have said on more occasions than one, we do not claim perfection for our scheme. Whatever defects there are in it will, I am sure, be easily removed by mutual settlement, sooner or later. So far as I am personally concerned I wish to make it quite clear that on the few points of difference that will remain to be adjusted I would certainly willingly concede the full demand made by either party if only the other party would allow me to do so.

But in the absence of such agreements, we must wait to find some formula which would be acceptable to all. I have not despaired yet of such a formula, but as sure as I stand here, that formula will be found

the moment there is a reasonable certainty of full Dominion Status being established if not long before that. For the present, however, my Committee and I feel that we shall not be justified in departing from the general scheme of our recommendations.

To the Treasury Benches I say, I do not seek shelter under the few points of difference that still remain to be adjusted among us. Come out with what you have really in your minds. Are you or are you not prepared to concede full responsible government of the Dominion type? If you are, then take the necessary steps to bind yourselves to your promise and we shall not have any difficulty in presenting an agreed constitution on the basis of full Dominion Status. Do not tell me: we must wait for the Simon Report, and the parliamentary procedure must follow. We, on this side, have nothing to do with the Simon Report or anything to be done hereafter on the basis of that report. But we have always been and are still ready to confer with the representatives of the British Government on equal terms, provided that India has the predominant voice, and provided also that any agreement reached in such a conference is duly given effect to by necessary legislation.

His Excellency the Governor General was pleased to say, in his inaugural address that Parliament would not reduce itself to being a mere Registrar of decisions of other persons. Let me, with due deference, point out that it will not be the first time in British history for Parliament to register a constitution framed by the people in consultation



with the representatives of Great Britain. It has already done this in the case of South Africa, in the case of the Irish Free State, and practically also in the case of other Dominions. We do not deny that Parliament is supreme, but to give effect to mutual agreements and understandings between two great people by necessary legislation will not in the least, detract it from that high position. On the contrary, it will only add to the credit, the honour and the dignity of the great Mother of Parliaments. His Excellency also charges us with intolerance and impatience. In the brief sketch I have given of the history of our demand I have shown how tolerant and patient we have been. All I can say is that the cup is now full to the brim and will not hold another drop.

My attention has been called to a recent statement made by Sir John Simon, wherein, after his usual platitudes, he holds out the hope of a constitution for India being ultimately framed by Britain and India together. We cannot allow ourselves to be deluded by such pious hopes. I attach no more importance to the statement than there is in the usual invitation to a famous parlour.

I am no believer in omens, good or evil. But it cannot be denied that certain events have happened and are happening in a most ominous manner having a significance of their own. It seems that we are moving in cycles of ten years. It was in 1917 that Mr. Montagu came out to India. It was in 1927, exactly ten years after, that the Simon Commission was appointed. In 1919 there were two Bills popu-

larly known as the Black Bills, or the Rowlatt Bills which were passed over the heads of the Legislature. In 1929, two similar Bills are again on the anvil, I mean the Public Safety Bill and the Trades Disputes Bill. In March 1919, the agitation began on the Rowlatt Bill and at an early stage of that agitation Mahatma was arrested but shortly released thereafter. In March 1929, Mahatma Gandhi is arrested again and released on his personal recognisance. The sixth of April 1919 was a Sunday, on which Jallianwala was perpetrated. The sixth of April 1929, is also a Sunday and God knows what is going to happen on that day. But before the Jallianwala day arrives, we have in March 1929, as the telegrams received only this morning show, an elaborate justification of the action of General Dyer. There is a book published in England which is stated to have been written at the request of the family of General Dyer. But I am inclined to think that the request was not from the family in the ordinary sense in which we understand the word, but from the larger family of officialdom. Well, this book is issued by a journalist named Colvin in which he says—(I will not read the whole press message, but only the two points which strike me as most important.)

“The Afghan war which followed the rebellion in the Punjab might have been a great disaster, but for Dyer’s action at Amritsar.” The inference is first that there was a great rebellion in the Punjab—we all know what it was—and secondly that there was an Afghan war, the speedy termination of which was

due to the action of General Dyer at Jallianwalabagh. To connect the brutal murder of unarmed men and children with the advance of an attacking or invading army, was left to this gentleman. I am surprised that he did not go a little further and connect the civil war now going on in Afghanistan with the Congress Resolution on Non-Co-Operation. We find a very important fact in this message, and that is that General Dyer's explanation was gone over by Sir Malcolm Hailey and that he found only one word to be objectionable and that was the word "rebels" in regard to the Punjab. This writer does not spare Sir Malcolm Hailey for suggesting the omission of the word "rebel". He reaches the climax when he claims that "General Dyer was a humane man; he knew and loved the Indian people; he was loved by them both before and after Jallianwala". We have since been celebrating the National week which, as I have said before, begins on the 6th April, the day on which the Jallianwala atrocity was committed. And I am sure we are all celebrating it and shedding salt tears because General Dyer was dealt with unjustly, and not because of the brutal murder of the men and children who were on the spot. The National week commences on the 6th April. In 1920, the non-co-operation movement was started; in 1930, it is again announced to be started. Everything happens in regular cycles almost to a day, and it is quite apparent that there is some sort of fatality dogging this country, and also Great Britain. No lover of the country can contemplate light-heartedly the implications of the non-co-operation movement; and in this connection I must not

forget to notice the bit of kindly advice given to us by the Honourable Sir George Schuster in his budget speech. He has no doubt meant well in addressing his appeal to us. He says: "India till now has had one priceless possession in her credit with the outside world". I should like Sir George Schuster to have been a little more precise. I think it would have been more accurate if he had said the credit of her masters instead of "her credit". I do not know what credit we Indians enjoy in any part of the world, except that we are being governed or misgoverned by England. Sir George proceeds: "I believe, for such reasons as I have tried to make clear to-day, that the economic advancement of the country depends on the political freedom, both within and without. Fears of political disturbance cannot but shake it, and to do this is to endanger the structure on which the material welfare of the millions of this country depends. I pray that this vital consideration may not be forgotten".

As I have said, it is an appeal which certainly is conceived in a kindly spirit, but let us examine and analyse it. What does it come to? Sir George Schuster is no doubt new to this country; but I am sure he knows the history of this country; I am sure he has carefully gone through the story of the British administration during the last 160 years and more. I am sure he knows what our political status is; and he must know that we have no rights and privileges. Our so-called rights are in the nature of favours which we can only enjoy during the pleasure of those who have granted those favours. They may be withdrawn and they have, as a matter of fact, been withdrawn

on more occasions than one, with or without reason. A people reduced to these straits, do they care for their commercial credit in the world? And how can they have any credit? But whether that credit is shattered or they themselves are sent to rack and ruin, the people who are struggling for their freedom have to go ahead, march ahead, regardless of all consequences.

Now, Sir, we shall, of course, be told that we are unreasonable, and that, if we launch a dangerous movement, knowing fully what it means, we shall have to abide by the consequences. We shall further be told that it is the first duty of Government to govern and take all such measures as are necessary to govern. My answer is that, if we are driven to resort to non-cooperation, we shall be ready to take all the consequences. As for the duty of the Government to govern I fully agree; but there is another duty which the governed owe to themselves, and that is to secure a just government for themselves on principles which are recognised all over the world as just and to spare no sacrifice, no suffering, however great, to achieve that end.

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## Desire for Swaraj.

\* I shall simply lay a few broad facts. It will be seen, as I have submitted, that there is a deep seated desire for Swaraj in the country. I do not think any one will doubt that that desire proceeds from the natural cravings of the human heart for freedom. I do not think any one will seriously deny. That being so, I say the first and the last requisite for full responsible government is completely established. According to all modern conceptions, what you have to look to, is a genuine desire proceeding from the natural instinct to which I have referred and the determination to attain that desire. That is all that entitles a nation, that is all that has ever entitled a nation, to complete self-government and complete responsibility. But I am not going to put my case so high to-day. The desire for Swaraj, as all must be aware, has passed through the usual stages of ridicule and intimidation, rather unusually prolonged, and has now, it may be said, and properly said, emerged from an ordeal of fire unscathed and pure. That desire has led different sections of my countrymen to different courses of action. It is all a question of the intensity of the feeling of each section, the point of view of each section and the mentality of each section of my countrymen. That each has been prompted

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\* Speech delivered Pandit Motilal Nehru in Legislative Assembly on February 8, 1924

and guided by the best of motives there can be no doubt whatever. The question then is: have we made out a case for the realisation of that desire. What I ask for is, without mincing words, a complete overhauling of the Government of India Act.

Now, what is the great argument that has always been employed against any further advance in political rights to be given to Indians? It is said that those who desire any further advance are precluded by the Government of India Act itself from making the demand, because the Preamble sets out in clear words that Responsible Government will only be granted by successive stages and that the Parliament shall be the sole judge of the manner and measure of each advance, or words to that effect. And it is that you have no business to come forward and ask for anything. It is for you to satisfy Parliament, to satisfy us who are the agents of Parliament here—I mean the Government—that you deserve a further advance and you shall have it but not before that. Now, our answer, straight and clear, as unequivocal as the Preamble, is that that Preamble is bad, the whole law, the whole Act is as bad as could possibly have been devised to postpone, to stifle and to suppress the natural desire which I have already mentioned. That is what we say and we are perfectly entitled to say so. We feel that we must say so. What answer is it that the Act provides so and so, when the one reason why we do not want it is precisely because it provides so and so. It is arguing in a circle. We say that the Act has done a great injustice to us in that Preamble and in the subsequent provisions of it which refuse to us

the full rights of Responsible Government that we demand. It is said: "you will not have them because the Act does not allow you to ask for them, but leaves it to the judgment of Parliament alone." Now, I ask what special sanctity is there in this particular Act of Parliament that we must not say a word against it? Wherein does it differ from other Acts of Parliament all of which may be modified or repealed at any time? We ask for the modification of this Act or for its repeal, whatever may be necessary, and in doing so I really do not know what unconstitutional or improper act we are guilty of. Well, if it is true that we may ask for the modification of a piece of legislation which we take exception to, we are not going beyond our rights.

Then, the next question is, "Is the modification that we ask for justified under the circumstances?" That really is the crux of the whole matter. It has been said—and I have been hearing a considerable amount of loose talk during the last three or four days—that the Act contains within itself enough to give us that from which we can grow, from which we can acquire more by the building up of conventions and things of that sort. I wish at once to dispose of that argument. I say that, so far as I am concerned, it will take very strong authority, and that of the weightiest character, to convince me that any conventions can grow so as to defeat the express provisions of a statute of Parliament. They are simply talking as if this statute did not exist. But even if such conventions could grow, I submit we are not content to let them grow in the way in which it has been



suggested. We wish that our rights should be formulated, recognised and clearly admitted, and not only admitted and recognised, but actually conceded to us.

Now, as for the steps, the argument is that the Government are in fact doing the very thing that the Resolution and the amendment ask for, because what is called the working of the reforms constitutes the steps which are to be taken to secure the ultimate revision of the Government of India Act, and, in insisting upon the working of the reforms as they stand, we are doing all that is necessary to secure the revision of the Act and the inevitable establishment of Responsible Government after all the steps mentioned in the Act have been taken. Now, our submission is—we in the Congress have demanded ever since the year 1919 full responsible government; call it Swaraj, call it Dominion Status, call it anything you like. The Hon'ble the Home Member has not paid attention to one very important fact that after the year 1919 the Congress has committed itself to a policy and a programme which were quite new and which had not been adopted before that year. I submit that it will serve no useful purpose except perhaps that of historical research to cite what the Congress said or what the leader of the Congress said in the years 1916, 1917 and 1918 and in previous years. From the year 1919 upto the present day the demand has been consistent that what we require is responsible government, that the Government of India Act is wholly inadequate and disappointing. The Congress has said that it will not rest until it has obtained either a

revision or a repeal of that Act. That was the position under which the Act came into force and that is the position under which now it begins its second course. As I have said, we have got to see other things besides the provisions of the Act itself if we wish to come to a right conclusion as to whether the time has come for its revision or not. What are we suggesting? We are not asking for complete responsible government to be handed over to us tied up in a bundle. We say we are quite capable of it, we are quite fit for it, but what is it that my amendment is suggesting?

What we are asking for is not intended to convey something by way of a threat as has been believed in certain quarters. We are putting before the Government an honest and a fair demand. It is not fair to tell us that you can only do this or you cannot do that. It is not fair to treat our demand as a threat and to threaten us in return with dire consequences if we dare to make it. What I say is this; whatever we can do in this House, it is quite obvious that it must be done within the rules and within what is called the constitution. Personally speaking, I say there is no constitution for India. I refuse to believe in this constitution. I do not think that anything deserves the name of a constitution for a country in the making of which the people of the country did not have a voice, and for that reason I say that I do not give it the dignity of a constitution, although I submit to the rules. Now, if we submit to the rules, it is open to us to do certain things under these rules in this House and in the Provincial councils. If we can obstruct you under the rules, what is there to

prevent us from doing so as an answer to the attitude that you adopt ? I may at once say that the Swarajya Party has sought the suffrage of the electorates not to engage itself in the humdrum business of putting questions and getting answers and acquiescing in the process marked out in the Act itself for further stages of advance and similar things.

We have come here to do something which we have not been doing so far. We have come here to offer our co-operation, non-co-operators as we are, if you will care to co-operate with us. That is why we are here. If you agree to have it, we are your men, if you do not, we shall like men, stand upon our rights and continue to be non-co-operators. Now what threat is there in this ! When I say what I am, what threat do I convey ? Am I conveying any new idea ? If we conform to the programme of non-co-operation, are we doing something that we have not been doing ? We have so far been working outside the councils and this Assembly with a definite object. That object we have still in view, that object we consider perfectly legitimate. But we have come here because the dust and heat of the controversy which has been raging for the last three or four years, in fact ever since the inauguration of these reforms, has obscured the real issues.

We have come here and our coming here affords an opportunity to clear those issues as no other opportunity can. We are here for that purpose. We are not here simply to wreck or to destroy. We have been referred to as a party of destruction and wreckers. Yes, we are out to wreck and destroy things of

evils, and, rightly or wrongly, we think that the present reforms are a thing of evil. We have come to ask you to meet us so that we may put our heads together,—to hear us and to let us hear you and then to come to some definite conclusion. If we agree, well and good ; if we do not, we shall agree to differ, and the issues will be clarified. That is the thing. It is no business of ours to wreck things which we believe are doing good to the country. At least it will be admitted that we have no personal motives. We have not any axes of our own to grind. We believe in a certain principle. We believe that our country has reached a particular stage, and that at that particular stage it is entitled to certain rights, which rights are being withheld from it. We say that we cannot get those rights by an armed revolution, by delivering a great thumping blow, which alone in other countries has gained freedom for the people of those countries. In the very nature of things we can not do that and therefore we say, we shall simply not assist you. What law, what reason, is there which can compel us to co-operate with people who do not co-operate with us ? However, I am not here, to justify the principles of non-co-operation, but I certainly am here to say that we claim to be as much bound by our own principles as any honourable body of men has ever claimed to be, and that is all.

Now, it is said that the Act has been passed and the policy of the Act has been approved by a series of Prime Ministers. We are told by His Excellency in his speech from the throne that, during less than four years of the period he has occupied his exalted office,

there have been no less than four Prime Ministers in England and four Governments and that each Prime Minister and each Government has approved the policy of this Act. Now, that is so. But I should like the Honourable Home Member to answer the question: suppose there had been a dozen Prime Ministers and a dozen Governments in this interval of four years, would these reforms have been three times as good as they are to-day? I do not understand, I say with due deference what has the change of Government or the change of Prime Ministers to do with a good or bad piece of legislation or with the fact whether it is suited to the circumstances of the country or not. Well, I think I would attach more value to the opinion of the Honourable the Home Member than I would to those of all the Prime Ministers that have held office ever since the beginning of Parliament up to this date. Why? Because he knows what I know, perhaps more. My only trouble with him is that I cannot get him to feel as I feel. My trouble with Parliament, with Prime Ministers and with the British public is that I cannot impart to them the knowledge which my friend the Honourable the Home Member possesses. Then there is the British public. It has been said that the British people must also be taken to have set their seal of approval upon these reforms, because there have been these frequent changes of Government. Well, Sir, I should have imagined that this rapid succession of Prime Ministers and Governments only went unmistakably to show that your home politics are in a hopeless muddle and that you cannot either afford the time

or have the inclination to pay attention to matters outside, strictly speaking, the circle of your home politics, such as India and Dominion Status for India. But however that may be, it is a fact which I know personally, and which my friend Pandit Madan Mohan Malaviya also knows, as we have both tried to gain a hearing at the bar of the august body known as the British people or the British public, that it is impossible under the best of conditions for Indians to secure a hearing in that great tribunal. We tried to do so and everybody knows how miserably we failed. It is impossible for us to approach that body. We can approach the Prime Minister, we can approach the Secretary of State, we can approach the Hon'ble the Home Member here and the other government Members but the British public is altogether intangible and is something like the will-o'-the-wisp, which the further we follow the further it recedes. That is our experience. We therefore decided for want of anything better to depend upon ourselves and that is what we are doing.

Now the process laid down is nothing, I submit, but a reversal of the natural order of things. What the Government of India Act provides is that an extraneous authority has the right to determine the stages, the manner, the measure and the time for the advance of a nation to attain its freedom. I do not think there is anyone who will question now or seriously argue against the proposition that if there is anything by which nations and communities—big and small—should be governed and should be guided, it is their own will. Clause III of my

amendment has a direct reference to and is suggested by the right of self-determination. Now, that is the principle which we want the British Government and Parliament to accept. That is the principle which it will be for the Round Table Conference first to say whether it is prepared to recommend and then for the new Legislature which I propose in the third clause of my amendment to accept.

Now, I may briefly explain. It will be observed that we have left out all details and we did so because we thought they would more properly form the subject of subsequent negotiations and subsequent conversations. But I must make it perfectly clear that the representative Round Table Conference be really representative. It was intended at first to mention certain proportions but it was subsequently decided to drop them and to leave the word 'representative' there. That, I submit, is an essential condition of that clause of the amendment. Then, we come to clause III. That clause affords the only reason for having a conference and provides the only 'way by which you can ascertain the will of the people.

Another reason why we want this new Legislature to be elected is the same as was put forward by the Hon'ble the Home Member. He wants the best of India to agree to anything that is to be done so that there will be no future difficulties on the scene of the constitution or of the rules or of the exact rights which are going to be taken by us or given by the Government as it likes to put it. Now, I want also the best of India to come to this Legislature. As we are all aware, many of our best men are suffering

from disqualifications and have not been able to contest the elections. I want them to be here. As for the proposal of my friend, the Home Member, that he wants the best of the people to agree to the arrangement, I can only say that it will all depend upon the manner in which the best of India is approached, as if, I may put it the other way, in which the advances or the approach made by the best of India are received by the Government.

Now, I shall try to answer the questions which have been put by the Hon'ble the Home Member. I will first make the general observation that all these questions are really answered by the terms of the amendment which I have put forward before the House, because there is nothing in that amendment, as I said before, which asks that something should be done to-day without consulting the very interests, the very persons, which, the Hon'ble the Home Member mentions, are very necessary to be consulted. His first question was, is this Dominion Status to be confined to India or will it include Indian States as well, and if so, on what terms? I say it all depends on our preliminary conversations. If the Indian States want to come in, let us have their representatives too. If they do not want to come in, we do not want them. All the questions that have been put are, I submit, sufficiently answered by one or the other clause of my amendment.

Then the next thing was that Dominion Status of course implies protection of the Dominion by its own armies. I do realise that and we are perfectly willing to confer with you as to how that may be done.



We do require men to protect our Dominion with our own armies, but is it at all fair on your part to turn to us whom you have deprived even the use of arms, who cannot even have such training in the use of arms as you give in your schools and colleges? And why, because you have prohibited it, I say is it fair of you to turn round and tell us "you have got to be armed; you have no army and therefore you cannot have Dominion Status." What army have you got? Is it not the Indian Army—I do not say it is the sole Army that protects us but is it not the largest factor in the British Army in India? I need not go into what the Indian Army has achieved because that is a very long story and everybody knows it.

When it comes to the carrying on of the Government, I find three distinguished countrymen of mine in the Government Benches. You talk of Hindu-Moslem differences. Well, without trying to go into official secrets, I think I may ask for information whether these three gentlemen—one from Bengal, the other from the Punjab and the third from Madras—whether these gentlemen, when deciding matters relating to the administration, have been flying at each other's throats in the Executive Council Chamber. I mean what is there that can not be done if of course the proper steps are taken: and it is the taking of the proper steps upon which we lay special insistence. The steps may take some times; I do not say that everything has to be accomplished in a night. But to say that you are not entitled to it and you will not get it because we have said so—that is a position of great unfairness to which we are not going to submit.

Then the next question is, there are these communal differences. Of course communal differences there are. Unfortunately they exist. We have not denied them.

Now the strong hand of Britain is the 'British Civil Service in India'. Remove the cause of 'division, strife, conflict and anarchy' and you take away the sole justification for the continuation of that distinguished service. There can be no question that inter-communal differences constitute the sole cause of 'division, strife, conflict and anarchy' and that inter-communal amity which means the removal of that cause means also the removal of all justification for the continuance of the Civil Service.

But, it is said by my learned friend that inspite of these differences he is willing to have some sort of inquiry. He has excluded certain things, however, from that inquiry, namely, the question of the immediate grant of Dominion Status, and he has not given us full information as to what are the questions on which he would go to this Committee for inquiry. He has indicated that the advance that is necessary may be found within the four corners of the Act itself or that it may be necessary even to recast some portions of the Government Act; but not wholly modify it as is demanded by the resolution of my friend and by my amendment. That is a question, which does not arise at the present moment.

I should like to say one more word, and that is that the opportunity which should not be thrown away either by the Government or by us. It will serve no useful purpose to continue the state of

things which has existed during the last few years. The Government is very well aware that there is a section of the public in India which can not be entirely ignored and which demands for the country certain rights and is prepared to put those rights before you, but is not likely to be frightened away by threats. It is not prepared to submit to conditions which are foreign to its policy but is fully prepared to bear all the consequences of its action, action which it has decided upon after mature and deliberate consideration. I have said already, and I repeat it again, that we are not here to threaten anybody, nor even in our activities outside is it any part of our business to threaten anybody, and I submit that what is taken as a threat certainly was not intended to be a threat. All that we want is that you should consider the proposition which we place before you in the same mood without saying that this thing or that thing will happen to us. It must be remembered that we, some of us at least, have burnt our boats behind us. We take our stand upon these rights, and it does not matter to us in the least what happens so long as we go on rendering such service to our country as we believe our country is entitled to.

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# APPENDIX

## THE INDIAN CONSTITUTION

( *As drafted in the Nehru Report.* )

### THE RECOMMENDATIONS

( *as amended* )

#### *Constitutional Status of India*

1. India shall have the same constitutional status in the Comity of nations, known as the British Empire, as the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa and the Irish Free State, with a Parliament having powers to make laws for the peace, order and good government of India, and an executive responsible to that Parliament ; and shall be styled and known as the Commonwealth of India.

#### *Operation of the constitution and laws*

2. This Act and all laws made by Parliament of the Commonwealth, thereunder shall be binding on the courts and people of every province, and of every part of the Commonwealth, notwithstanding anything in the laws of the Indian Legislature or of any province or in any Act of the United Kingdom extending to British India ; and the laws of the Commonwealth shall be enforced in all Indian territorial waters.

*Definition of citizen*

3. The word "citizen" wherever it occurs in this constitution means every person

- (a) who was born, or whose father was either born or naturalised, within the territorial limits of the Commonwealth and has not been naturalised as a citizen of any other country ;
- (b) *who being a subject of an Indian State ordinarily carries on business or resides in the territories of the Commonwealth ;*
- (c) *or who, being a subject of the Crown carries on business or resides in the territories of the Commonwealth ;*
- (d) who is naturalised in the Commonwealth under the law in force for the time being.

*Explanation* :—No person who is a citizen of a foreign country can be a citizen of the Commonwealth unless he renounces the citizenship of such foreign country in the manner prescribed by law.

*Fundamental Rights*

- 4. (i) All powers of government and all authority, legislative, executive and judicial, are derived from the people and the same shall be exercised in the Commonwealth of India through the organisations established by or under, and in *due process* of this constitution.
- (ii) No person shall be deprived of his liberty, nor shall his dwelling or property be entered, sequestered or confiscated, save in accordance with law. *All titles to private and personal property lawfully acquired and enjoyed at the establishment of the Commonwealth are hereby guaranteed.*

- (iii) Freedom of conscience and the free profession and practice of religion are, subject to public order or morality, hereby guaranteed to every person.
- (iv) The right of free expression of opinion, as well as the right to assemble peaceably and without arms, and to form associations or unions, is hereby guaranteed for purposes not opposed to public order or morality.
- (v) All citizens in the Commonwealth of India have the right to free elementary education without any distinction of caste or creed in the matter of admission into any educational institutions, maintained or aided by the State, and such right shall be enforceable as soon as due arrangements shall have been made by competent authority. *Provided that adequate provision shall be made by the State for imparting public instruction in primary schools to the children of members of minorities of considerable strength in the population through the medium of their own language and in such script as is in vogue among them.*

*Explanation.—This provision will not prevent the State from making the teaching of the language of the Commonwealth obligatory in the said schools.*

- (vi) All citizens are equal before the law and possess equal civic rights.
- (vii) There shall be no penal law whether substantive or procedural of a discriminative nature.
- (iii) No person shall be punished for any act which was not punishable under the law at the time it was committed.
- (ix) No corporal punishment or other punishment involving torture of any kind shall be lawful.
- (x) Every citizen shall have the right to a writ of *habeas*

*corpus*. Such right may be suspended in case of war or rebellion by an Act of the Central Legislature, or, if the legislature is not in session, by the Governor-General-in-Council, and in such case he shall report the suspension to the legislature, at the earliest possible opportunity for such action as it may deem fit.

- (xi) There shall be no state religion for the Commonwealth of India or for any province in the Commonwealth, nor shall the state either directly or indirectly endow any religion or give any preference or impose any disability on account of religious belief or religious status.
- (xii) No person attending any school receiving state aid or other public money shall be compelled to attend the religious instruction that may be given in the school.
- (xiii) No person shall by reason of his religion, caste or creed be prejudiced in any way in regard to public employment, office of power or honour and the exercise of any trade or calling.
- (xiv) All citizens have an equal right of access to, and use of, public roads, public wells and all other places of public resort.
- (xv) Freedom of combination and association for the maintenance and improvement of labour and economic conditions is guaranteed to everyone and of all occupations. All agreements and measures tending to restrict or obstruct such freedom are illegal.
- (xvi) No breach of contract of service or abetment thereof shall be made a criminal offence.
- (xvii) Parliament shall make suitable laws for the maintenance of health and fitness for work for all citizens, securing of a living wage for every worker, the

protection of motherhood, welfare of children, and the economic consequences of old age, infirmity and unemployment *and Parliament shall also make laws to ensure fair rent and fixity and permanence of tenure to agricultural tenants.*

(xviii) Every citizen shall have the right to keep and bear arms in accordance with regulations made in that behalf.

(xix) Men and women shall have equal rights as citizens.

*Note :* Notwithstanding anything to the contrary in article (iv) the Sikhs are entitled to carry kripans.

### *Language.*

4. A. (i) *The language of the Commonwealth shall be Hindustani which may be written either in Nagri or in Urdu character. The use of the English language shall be permitted.*

(ii) *In provinces, the principal language of a province shall be the official language of that province. The use of Hindustani and English shall be permitted.*

### *Parliament.*

5. The legislative power of the Commonwealth shall be vested in a Parliament which shall consist of the King, a Senate and a House of Representatives herein called the Parliament.

6. The Governor-General shall be appointed by the King and shall have, and may exercise in the Commonwealth, during the King's pleasure, but subject to this constitution, such powers and functions of the King as His Majesty may assign to him.

7. (a) There shall be payable to the King out of the revenues of India for the salary of the Governor-



General an annual sum ..... which, until the Parliament of the Commonwealth otherwise provides, shall be as in the schedule hereof provided.

- (b) The salary of a Governor-General shall not be altered during his continuance in office.

8. The Senate shall consist of 200 members to be elected by the Provincial Councils, a specific number of seats being allotted to each province on the basis of population, subject to a minimum. The election shall be held by the method of proportional representation with the single transferable vote. (The Hare system.)

9. The House of Representatives shall consist of 500 members to be elected by constituencies determined by law. Every person of either sex who has attained the age of 21, and is not disqualified by law, shall be entitled to vote.

Provided that Parliament shall have the power to increase the number of members from time to time if necessary.

10. (1) Every House of Representatives shall continue for five years from its first meeting and every Senate shall continue for seven years.

Provided that—

- (a) either chamber of the legislature may be sooner dissolved by the Governor-General ; and
  - (b) any such period may be extended by the Governor-General if in special circumstances he so thinks fit ; and
  - (c) after the dissolution of either chamber the Governor-General shall appoint a date not more than six months after the date of dissolution for the next session of that chamber.
- (2) *A session of the Parliament shall be held at least once a year.*

- (3) The Governor-General may appoint such times and places for holding the sessions of either chamber of the Indian Legislature as he thinks fit, and may also from time to time, by notification or otherwise, prorogue such sessions.
- (4) Any meeting of either chamber of the Indian Legislature may be adjourned by the person presiding.
- (5) All questions in either chamber shall be determined by a majority of votes of members present, other than the presiding member who shall, however, have and exercise a casting vote in the case of an equality of votes.
- (6) The powers of either chamber of the Indian Legislature may be exercised notwithstanding any vacancy in the chamber.

11. There shall be a President of each House of Parliament who shall be a member of the House and shall be elected by the House. There shall also be a Deputy President of each House who shall also be a member of the House and be similarly elected.

12. The privileges, immunities and powers to be held, enjoyed and exercised by the Senate and by the House of Representatives and by the members thereof respectively shall be such as are from time to time defined by Act of Parliament of the Commonwealth.

13. Parliament shall, subject to *and under* the provisions of this Constitution, have power to make laws.

- (a) for the peace, order and good government of the Commonwealth in relation to all matters not coming in the classes of subjects by this Act assigned to the legislatures of provinces ;
- (b) for the nationals and servants of the Commonwealth

within other parts of India as well as those without and beyond India ;

- (c) for the government officers, soldiers, airmen and followers in His Majesty's Indian forces, wherever they are serving, in so far as they are not subject to the Army Act or the Air Force Act, and
- (d) for all persons employed or serving in or belonging to the Royal Indian Marine Service or the Indian Navy.

For greater certainty, but not so as to restrict the generality of the foregoing terms of the section, it is hereby declared that notwithstanding anything in this Act the legislative authority of the Parliament of the Commonwealth extends to all matters coming within the classes of subjects hereinafter enumerated and specified in Schedule I attached hereto.

13. A (a) *In cases of great emergency and in matters of controversies between provinces or a province and an Indian State, the Central Government and the Parliament have all the powers necessary and ancillary including the power to suspend or annul the acts, executive and legislative, of a Provincial Government.*

(b) *The Supreme Court shall have no jurisdiction in cases where the Commonwealth Government or Parliament has acted in exercise of the powers under the preceding sub-clause.*

14. The powers of Parliament with respect to foreign affairs, not including the Indian States, shall be the same as exercised by the self-governing dominions.

15. Provision may be made by rules under this Act for regulating the course of business and the preservation of order in the chambers of the Indian Legislature, and as to the persons to preside at the meetings of the House of Representatives in the absence of the President and the Deputy

President ; and the rules may provide for the number of members required to constitute a quorum, and for prohibiting or regulating the asking of questions on, and the discussion of any subject specified in the rules.

16. (i) Any bill which appropriates revenue or monies for the ordinary annual services of the Commonwealth government shall deal only with such appropriations.

(ii) Bills imposing taxation shall deal only with the imposition of taxes, and any provision therein dealing with any other matter shall be of no effect.

(iii) Bills affecting the public debt or for the appropriation of revenues or monies or for imposing taxation shall be introduced only by a member of the Executive Council and can only originate in the House of Representatives.

17. A money bill means a bill which contains only provisions dealing with all or any of the following subjects, namely the imposition, repeal, remission, alteration or regulation of taxation ; the imposition for the payment of debt or other financial purposes of charges on public revenues or monies, or the variation or repeal of any such charges ; the supply, appropriation, receipt, custody, issue or audit of accounts of public money ; the raising of any loan or the repayment thereof ; or subordinate matters incidental to those subjects or any of them. In this definition the expression "taxation," "public money" and "loan" respectively do not include any taxation, money or loan raised by local authorities or bodies for local purposes.

18. The question whether a bill is or is not a money bill will be decided by the President of the House of Representatives.

19. A money bill passed by the House of Representa-

tives shall be sent to the Senate for its recommendations and it shall be returned not later than.....days therefrom to the House of Representatives, which may pass it, accepting or rejecting all or any of the recommendations of the Senate ; and the bill so passed shall be deemed to have been passed by both chambers.

20. (i) Subject to the provisions of this Act, a bill may be initiated in either House of Parliament and, if passed by the originating House, shall be introduced in the other House for being passed.

(ii) Except as otherwise provided under this Act, a bill shall not be deemed to have been passed by Parliament unless it has been agreed to by both Houses, either without amendments or with such amendments only as may be agreed to by both Houses.

(iii) If any bill which has been passed by the House of Representatives is not, within six months after the passage of the bill by that House, passed by the Senate, either without amendments or with such amendments as may be agreed to, by both Houses, the Governor-General shall, on resolution passed by either House to that effect, refer the matter for decision to a joint sitting of both Houses. The members present at any such joint sitting may deliberate and shall vote together upon the bill as last proposed by the House of Representatives and upon amendments, if any, which have been made therein by one House of Parliament and not agreed to by the other ; and any such amendments which are affirmed by a majority of the total number of members of the Senate and the

House of Representatives present at such sitting, shall be taken to have been duly passed by both Houses of Parliament.

21. (i) So soon as any bill shall have been duly passed, or deemed to have been passed by both Houses, it shall be presented to the Governor-General for the signification by him, in the King's name, of the King's assent, and the Governor-General may signify such assent or withhold the same or he may reserve the bill for the signification of the King's pleasure.
- (ii) A bill passed by both Houses of Parliament shall not become an Act until the Governor-General signifies his assent thereto in the King's name, or in the case of a bill reserved for the signification of the King's pleasure, until he signifies by speech or message to each House of Parliament, or by proclamation that it has received the assent of the King in Council.

Provided that the Governor-General may, where a bill has been passed by both Houses of Parliament and presented to him for the signification by him of the King's assent, or has been reserved by him for the signification of the King's pleasure, return the bill for reconsideration by Parliament with a recommendation that Parliament shall consider amendments thereto.

- (iii) Any bill so returned shall be further considered by Parliament together with the amendments, recommended by the Governor-General, and if re-affirmed with or without amendments, may be again presented to the Governor-General for the signification in the King's name of the King's assent.

*The Commonwealth Executive*

22. The executive power of the Commonwealth is vested in the King and is exercisable by the Governor-General as the King's representative, acting on the advice of the Executive Council subject to the provisions of this Act and of the laws of the Commonwealth.

23. (a) There shall be an Executive Council consisting of the Prime Minister and, until Parliament otherwise provides, not more than six ministers of the Commonwealth.

(b) The Prime Minister shall be appointed by the Governor-General and the ministers shall also be appointed by him on the advice of the Prime Minister.

(c) The Executive Council shall be collectively responsible to the *House of Representatives* for all matters concerning the departments of the Commonwealth administered by members of the Executive Council *and generally for all advice tendered by it to the Governor-General.*

24. Until Parliament otherwise provides, the appointment and removal of all other officers of the executive government of the Commonwealth shall be vested in the Governor-General in Council, unless the appointment is delegated by the Governor-General-in-Council, or by a law of the Commonwealth, to some other authority.

25. The Command-in-chief of the military, naval and air forces of the Commonwealth is vested in the Governor-General as the King's representative.

*High Commissioner and Foreign Representatives*

26. The Commonwealth shall have the power to appoint High Commissioners and other foreign representatives similar

to that exercised by Canada and other dominions. Such appointments shall be made by the Governor-General in Council who shall also make provision by rules for their pay, powers and duties, and the conditions of employment.

*Financial Control*

27. (1) The Audit-General in India shall be appointed by the Governor-General-in-Council who shall by rules make provision for his pay, powers and duties and the conditions of employment, and for the discharge of his duties in the case of a temporary vacancy or absence from duty.
- (2) Subject to any rules made by the Governor-General-in-Council, no office may be added to or withdrawn from the public service and the emoluments of no posts may be varied except after consultation with such finance authority as may be designated in the rules, being an authority of the province or of the Commonwealth according as it is or is not under the control of a local government.

*The Provincial Legislature*

28. The legislative power of a province shall be vested in the King and the local Legislative Council.

29. There shall be a Governor of every province who shall be appointed by the *Governor-General-in-Council*.

30. *The salaries of the Governors shall be fixed and provided by Parliament, and until so provided, shall be as in schedule... ..*

- 31 (i) There shall be one member of the Provincial Legislative Council for every 100,000 of the population of the said province provided that in provinces with a population of less than ten millions there may be a maximum of 100 members.



- (ii) Every member shall be elected by a constituency determined by law. Every person of either sex who has attained the age of 21 and is not disqualified by law shall be entitled to vote.

32. (i) Every Provincial Council shall continue for 5 years from its first sitting provided that—

- (a) it may be sooner dissolved by the Governor ;
- (b) the term of 5 years may be extended by the Governor if in special circumstances he so thinks fit ;
- (c) after the dissolution of the Council the Governor shall appoint a date not more than 6 months after the date of the dissolution, for the next session of the Council .
- (ii) The Governor may appoint such times and places for holding the sessions of the Council as he thinks fit and may also from time to time, by notification or otherwise, prorogue such sessions.
- (iii) Any meeting of the Council may be adjourned by the person presiding.
- (iv) All questions in the Council shall be determined by the majority of votes of the members present, other than the presiding member, who shall however have and exercise a casting vote in the case of an equality of votes.
- (v) The powers of the Council may be exercised notwithstanding any vacancy.
- (vi) *A session of the Council is held at least once a year.*

33. There shall be a President of every Council who shall be a member of the House and shall be elected by the House. There shall also be a Deputy President who shall also be a member of the House and be similarly elected.

34. The local legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good government of the territories for the time being constituting that province. The legislative authority of every provincial council extends to all matters coming within the classes of subjects hereinafter enumerated and specified in Schedule II, attached hereto.

35. The local legislature of any province may repeal or alter, as to that province, any law relating to a provincial subject made either before or after the commencement of this Act by any authority in British India.

36. Any measure affecting the public revenues of a province, or imposing any charge on the revenue, shall be introduced only by a member of the Executive Council of the Governor.

37. When a bill has been passed by a local Legislative Council, the Governor may declare that he assents to or withholds his assent from the bill.

38. If the Governor withholds his assent from any such bill, the bill shall not become an Act.

39. If the Governor assents to any such bill, he shall forthwith send an authentic copy of the Act to the Governor-General, and the Act shall not have validity until the Governor-General has assented thereto and that assent has been signified by the Governor-General to, and published by the Governor.

40. Where the Governor-General withholds his assent from any such Act, he shall signify to the Governor in writing his reason for so withholding his assent.

41. When an Act has been assented to by the Governor-General it shall be lawful for His Majesty in Council to signify his disallowance of the Act.

42. Where the disallowance of an Act has been so signi-

fied, the Governor shall forthwith notify the disallowance, and thereupon the Act, as from the date of the notification, shall become void accordingly.

### *The Provincial Executive*

43. The executive power of the province shall be vested in the Governor acting on the advice of the provincial Executive Council.

44. There shall be an Executive Council for every province consisting of not more than five ministers appointed by the Governor.

45. In appointing the Executive Council the Governor shall select the Chief Minister and appoint others only on his advice.

### *The Judiciary*

46. There shall be a Supreme Court, which shall exercise such jurisdiction as Parliament shall determine. The Supreme Court shall consist of a Lord President, and as many other Justices, as Parliament may fix.

47. The Lord President of the Commonwealth and all other Judges of the Supreme Court of the Commonwealth to be appointed after the establishment of the Commonwealth shall be appointed by the Governor-General-in-Council, and shall receive such remuneration as Parliament shall prescribe, and their remuneration shall not be *altered* during their continuance in office.

48. The Lord President of the Commonwealth and other Judges of the Supreme Court of the Commonwealth shall not be removed from office except by the Governor-General-in-Council on an address from both Houses of Parliament in the same session praying for such removal on the ground of misbehaviour or incapacity.

49. The Supreme Court shall have original jurisdiction in all matters—

- (i) referred to the Supreme Court by the Governor-General in Council under section 85 ;
- (ii) in which the Commonwealth, or person suing or being sued on behalf of the Commonwealth, is a party ;
- (iii) affecting consuls or other representatives of other countries ;
- (iv) between provinces ;
- (v) arising under this Constitution or involving its interpretation.

50. The Supreme Court shall have jurisdiction, with such exceptions and subject to such regulations as Parliament prescribes, to hear and determine appeals from all judgments, decrees, orders and sentences—

- (a) of any Justice or Justices exercising the original jurisdiction of the Supreme Court ;
- (b) of the High Court of any province, or of any other Court of any provinces from which at the establishment of the Commonwealth an appeal lies to the King in Council.

51. The Judgment of the Supreme Court in all such cases shall be final and conclusive and shall not be reviewed, or be capable of being reviewed by any other court, tribunal or authority whatsoever.

#### *Appeals to the King in Council*

- 52. (i) No appeal shall be permitted to the King in Council from a decision of the Supreme Court upon any question howsoever arising, as to the limits *inter se* of the constitutional powers of the Commonwealth and those of any province or provinces, or as to the limits *inter se* of the constitutional powers of

any two or more provinces, unless the Supreme Court shall certify that the question is one which ought to be determined by the King in Council.

- (ii) The Supreme Court may so certify if satisfied that for any special reason the certificates should be granted, and thereafter an appeal shall lie to the King in Council on the question without further leave.
- (iii) Parliament may make laws limiting the matters in which such leave may be asked, provided that such laws do not impair any right which the King may be pleased to exercise by virtue of his royal prerogative to grant special leave of appeal from the Supreme Court to the King in Council.

*High Courts—Constitution*

53. The high courts referred to in this Act are the high courts of judicature for the time being established in British India.

54. Each high court shall consist of a chief justice and as many other judges as the Governor-General-in-Council may think fit to appoint. Provided as follows :

- (i) The Governor-General-in-Council may appoint persons to act as additional judges of any high court, for such period, not exceeding two years, as may be required and the judges so appointed shall, whilst so acting, have all the powers of a judge of the high court appointed by the Governor-General-in-Council ;
- (ii) the maximum number of judges of a high court including the chief justice and additional judges shall be 20.

55. A judge of a high court must be an advocate on the rolls of a high court of not less than ten years' standing, pro-

vided that nothing herein contained shall affect the continuance of the tenure of office of the judges who may be holding appointments at the commencement of this Act.

56. (i) Every judge of a high court shall hold office during his good behaviour.

(ii) Any such judge may resign his office to the local government.

57. The chief justice and other judges of the high court shall not be removed from office except by the Governor-General-in-Council on an address *from both the Houses of Parliament in the same session, praying for such removal on the ground of misbehaviour or incapacity.*

58. (i) The Governor-General-in-Council may fix the salaries, allowances, furloughs and retiring pensions, and may alter them, but any such alteration shall not affect the salary of any judge appointed before the date thereof.

(ii) The remuneration fixed for a judge under this section shall commence upon his taking upon himself the execution of his office.

59. (i) On the occurrence of a vacancy in the office of chief justice of a high court, and during any absence of such a chief justice, the local government shall appoint one of the other judges of the same high court to perform the duties of chief justice of the court, until some person has been appointed by the Governor-General to the office of chief justice of the court, and has entered on the discharge of his duties of that office, or until the chief justice has returned from his absence, as the case requires.

(ii) On the occurrence of a vacancy in the office of any other judge of a high court, and during any absence of any such judge, or on the appointment of any

such judge to act as chief justice, the local government may appoint a person with such qualifications as are required in persons to be appointed to the high court ; and the person so appointed may sit and perform the duties of a judge of the court, until some person has been appointed by the Governor-General-in-Council to the office of judge of the court, and has entered on the discharge of the duties of the office, or until the absent judge has returned from his absence, or until the local government sees cause to cancel the appointment of the acting judge.

60. (i) The several high courts are courts of record and have such jurisdiction, original and appellate, including admiralty jurisdiction in respect of offences committed on the high seas, and all such powers and authority over or in relation to the administration of justice, including power to appoint clerks and other ministerial officers of the court, and power to make rules for regulating the practice of the court, as are vested in them by letters patent, and subject to the provisions of any such letters patent, all such jurisdiction, powers and authority as are vested in those courts respectively at the commencement of this Act.

### *Jurisdiction*

- (ii) The letters patent establishing, or vesting jurisdiction, power, or authority, in a high court may be amended from time to time by a further letters patent.

61. Each of the high courts has superintendence over all courts for the time being subject to its appellate jurisdiction, and may do any of the following things, that is to say—

- (a) call for returns ;

- (b) direct the transfer of any suit or appeal from any such court to any other court of equal or superior jurisdiction ;
- (c) make and issue general rules and prescribe forms for regulating the practice and proceedings of such courts ;
- (d) prescribe forms in which books, entries and accounts shall be kept by the officers of any such courts ; and
- (e) settle tables of fees to be allowed to the sheriff, attorneys, and all clerks and officers of courts ;

Provided that such rules, forms and tables shall not be inconsistent with the provisions of any law for the time being in force, and shall require the previous approval of the local government.

62. (i) Each high court may, by its own rules, provide as it thinks fit for the exercise, by one or more judges of the high court, of the original and appellate jurisdiction vested in the court.

(ii) The chief justice of each high court shall determine what judge in each case is to sit alone, and what judges of the court, whether with or without the chief judge, are to constitute the several division courts.

63. The Governor-General-in-Council may, by order, transfer any territory or place from the jurisdiction of one to the jurisdiction of any other of the high courts, and authorise any high court to exercise all or any portion of its jurisdiction in any part of British India not included within the limits for which the high court was established, and also to exercise any such jurisdiction in respect of any British subject for the time being within any part of India outside the Commonwealth.

64. (a) The Governor-General, each Governor, each of the members of the Executive Council, whether in the



Commonwealth or in the provinces, shall not be subject to the original, appellate or revisional jurisdiction of any high court, by reason of anything counselled, ordered or done by any of them, in his public capacity only.

- (b) The exemption shall extend also to the chief justices and other judges of the several high courts.

65. The Governor-General-in-Council may, if he sees fit, by letters patent, establish a high court of judicature in any territory in the Commonwealth, whether or not included within the limits of the local jurisdiction of another high court, and confer on any high court so established, any such jurisdiction, powers and authority as are vested in, or may be conferred on, any high court existing at the commencement of this Act ; and, where a high court is so established in any area included within the limits of the local jurisdiction of another high court, the Governor-General may, by letters patent, alter those limits, and make such incidental, consequential and supplemental provisions as may appear to be necessary by reason of the alteration.

### *Advocate General*

66. The local government may appoint an advocate general for each of the provinces and may, on the occurrence of a vacancy in the office of advocate general, or during any absence or deputation of an advocate general, appoint a person to act as advocate general ; and the person so appointed may exercise the powers of an advocate general until some person has been appointed by the Governor-General-in-Council and has entered on the discharge of his duties or until the advocate general has returned from his absence or deputation, as the case may be, or until the local government cancels the local appointment.

*Property, Revenue and Finance*

67. All property vested in, or arising or accruing from property or rights vested in His Majesty or the Secretary of State in Council under the Government of India Acts, 1858, 1915 and 1919 shall vest in the Governor-General-in-Council.

68. The revenues of India shall vest in the Governor-General-in-Council and shall, subject to the provisions of this Act, be applied for the purposes of the Commonwealth alone.

69. The expression "the revenues of India" in this Act shall include all the territorial and other revenues of or arising in British India and in particular,—

- (i) all tributes and other payments in respect of any territories which would have been receivable by or in the name of the East India Company if the Government of India Act, 1858, had not been passed ; and
- (ii) all fines and penalties incurred by the sentence or order of any court of justice in British India, and all forfeitures for crimes of any movable or immovable property in British India ; and
- (iii) all movable or immovable property in British India escheating or lapsing for want of an heir or successor and all property in British India devolving as *bona vacantia* for want of a rightful owner.

70. Parliament shall establish a Railway and Harbour Fund into which shall be paid all revenues raised or received by the Governor-General-in-Council from the administration of railways, post and harbours, and such fund shall be appropriated by Parliament to the purposes of railways, posts and harbours, on such conditions and in such manner as it may prescribe. There shall also be formed a consolidated revenue fund into which shall be paid all other revenues raised or received by the Governor-General-in-Council and such fund shall

be appropriated by Parliament for the purpose of the Commonwealth in the manner prescribed by this Act or by rules made in that behalf and subject to the charges imposed thereby.

71. There shall be charged on the revenues of India alone—

- (a) all the debts of the East India Company ; and
  - (b) all sums of money, costs, charges and expenses which, if the Government of India Act, 1858, the Government of India Act, 1915 as amended by the Government of India Act 1919 or this Act had not been passed, would have been paid by the East India Company out of the revenues of India in respect of any treaties, covenants, contracts, grants or liabilities existing at the commencement of this Act ; and
  - (c) all expenses, debts and liabilities lawfully contracted and incurred on account of the Government of India ; and
  - (d) all other charges and payment under this Act (except so far as is otherwise provided under this Act).
72. (i) As soon as may be after the establishment of the Commonwealth the Governor-General-in-Council shall appoint a Commission consisting of one representative from each province and representatives of the Government of the Commonwealth, and presided over by an officer of the Commonwealth, to institute an enquiry into (a) the sources of revenue which may be assigned to the government of the Commonwealth and to the governments of the provinces respectively with due regard to the efficient administration and development of the services or subjects under the respective control of either, and (b) the financial relations which should

exist between the governments of the Commonwealth and the governments of the provinces, and (c) the means to be adopted for giving effect to such relations.

- (ii) The said Commission shall appoint a committee to examine the whole question of the training of officers for the land, naval and air forces of the Commonwealth and the establishment of the requisite number of schools and colleges for military instruction.
- (iii) The committee so appointed shall report to the Commission about the requisite number of such schools and colleges and their staffs, the places where they are to be established, and the standard of instruction to be imparted in each, and an estimate of the initial and maintenance cost of the said schools and colleges.
- (iv) The said Commission shall also appoint a committee to investigate and report on the steps to be taken for the introduction of general primary education in the Commonwealth and the affording of special educational facilities for backward classes.
- (v) The said Commission shall have the power to appoint such other committees as it may consider necessary, for the purposes of its inquiry.
- (vi) *The said Commission shall, in conformity with the principles of this Constitution and with the assistance of such Committee or committees as it may consider desirable to appoint :*
  - (a) *take all necessary steps to constitute Karnataka and Andhra into separate provinces ;*
  - (b) *take steps to amalgamate the Oriya speaking tracts in the different provinces and constitute this*

*amalgamated area into a separate province if the people of that area are able or are prepared to bear the financial burden which is incidental to separation ;*

*(c) report on the cases of C. P. Hindustani, Kerala and any other linguistic areas which may desire to be constituted into separate provinces ;*

*(d) re-settle the boundaries of Assam and Bengal, Behar and Orissa and C. P. Hindustani, Kerala and Karnataka in accordance with the principles recommended by the Committee.*

*(vii) The said Commission shall report to the Governor-General-in-Council on matters recommended in clause (i), and shall make special recommendations fixing minimum charges on the revenues of the Commonwealth and the provinces for the purposes mentioned in (ii), (iii) and (iv).*

73. The Governor-General-in-Council shall lay the entire report of the Commission together with its recommendations before Parliament for such legislative or other action as it may deem fit.

74. Pending the completion of the said enquiry, and until Parliament has taken action under clause 68, the existing sources of revenue and the financial relations shall continue to be in force.

### *Defence*

75. (a) The Governor-General-in-Council shall appoint a Committee of Defence consisting of (a) the Prime Minister, (2) the Minister of Defence, (3) the Minister of Foreign Affairs, (4) the Commander-in-Chief, (5) the Commander of the Air Forces, (6) the Commander of the Naval Forces, (7) the Chief of the General Staff, and two other experts.

- (b) The Prime Minister shall be the chairman of the committee ; and there shall be a permanent staff including a secretary attached to this committee.
- (c) The functions of this committee shall be to advise the government and the various departments concerned with questions of defence and upon general questions of policy.
- (d) As soon as the committee is appointed the Governor-General-in-Council may take the advice of the Committee of Defence as to the practicability and means of effecting a retrenchment in the expenditure on defence compatibly with the safety of India. The estimates shall be framed according to the recommendations of the committee.

76. The proposals of the Governor-General-in-Council for the appropriation of revenues or monies classified as "Defence", shall be submitted to the vote of the House of Representatives.

77. Notwithstanding anything to the contrary in the foregoing provisions, the Governor-General-in-Council may, in the event of any foreign aggression on India by land, air or sea, or upon his being satisfied that there is a reasonable apprehension of such aggression, authorise such expenditure as may be necessary for the safety of British India or any part thereof. Such action taken by the Governor-General shall be reported by him immediately to the Legislature, if in session, or if the Legislature is not in session, to a special session to be summoned as soon as possible thereafter.

78. No measure affecting the discipline or maintenance of any part of the military, naval and air forces of the Commonwealth, shall be introduced in Parliament except on the recommendation of the Committee of Defence appointed under this constitution.

*The Civil Services*

79. Subject to the provisions of the next succeeding section, all officers of the public services shall, at the establishment of the Commonwealth, become officers of the Commonwealth.

80. As soon as possible after the establishment of the Commonwealth, the Governor-General-in-Council shall appoint a Public Service Commission to make recommendations for such reorganisation and re-adjustment of the departments of the public services as may be necessary.

81. Parliament may make laws for regulating the classification of the civil services in India, the sources and methods of their recruitment, the conditions of service, pay and allowances, and discipline and conduct. Parliament may also, to such extent and in respect of such matters as it may prescribe, delegate the power of making rules under the said laws to the Governor-General-in-Council or to local governments.

82. (i) After the establishment of the Commonwealth the Governor-General-in-Council shall appoint a permanent Public Service Commission with such powers and duties relating to the recruitment, appointment, discipline, retirement and superannuation of public officers as Parliament shall determine.

(ii) Members of the permanent Public Service Commission shall hold office for five years from the date of appointment.

83. Any officer of the public services who desires to retire within three years of the establishment of the Commonwealth, or is not retained in the service of the Commonwealth shall be entitled to receive such pension, gratuity or other compensation as he would have received in like circumstances if the Commonwealth had not been established.

*The Army Services*

84. All officers, British and Indian, serving in the army, the navy, the Royal Indian Marine, or the Air Force of India, serving in India at the commencement of the new constitution, shall retain all their existing rights as to salaries, allowances, or pensions or shall receive such compensation for the loss of any of them, as the Governor-General-in-Council may consider just and equitable or as they would have received in like circumstances if the Commonwealth had not been established.

Further all such officers, British or Indian, who were in receipt of pension at the date of the commencement of the new constitution, shall continue to receive the same from the revenues of India.

*Indian States*

85. The Commonwealth shall exercise the same rights in relation to, and discharge the same obligations towards, the Indian States, arising out of treaties or otherwise, as the Government of India has hitherto exercised and discharged.

In case of any difference between the Commonwealth and any Indian State on any matter arising out of treaties, engagements, sanads or *any* other documents, the Governor-General-in-Council may, with the consent of the State concerned, refer the said matter to the Supreme Court for its decision.

*New Provinces*

86. The re-distribution of provinces should take place on a linguistic basis on the demand of the majority of the population of the area concerned, subject to financial and administrative considerations.

*Amendment of the Constitution*

87. Parliament may, by law, repeal or alter any of the



provisions of the constitution. Provided that the bill embodying such repeal or alteration shall be passed by both Houses of Parliament sitting together and at the third reading shall be agreed to by not less than *four-fifth of those present*. A bill so passed at such a joint sitting shall be taken to have been duly passed by both Houses of Parliament.

*Note* :—The following are the recommendations on communal and other controversial matters.

### *Communal Representation*

1. There shall be joint mixed electorates throughout India for the House of Representatives and the provincial legislatures.

II. There shall be no reservation of seats for the House of Representatives except for Muslims in provinces where they are in a minority and non-Muslims in the N. W. F. Province. Such reservation will be in strict proportion to the Muslim population in every province where they are in a minority and in proportion to the non-Muslim population in N. W. F. Province. The Muslims or non-Muslims where reservation is allowed to them shall have the right to contest additional seats.

III. In the provinces

(a) there shall be no reservation of seats for any community in the Punjab and Bengal *provided that the question of communal representation will be open for reconsideration if so desired by any community after working the recommended system for 10 years.*

(b) in provinces other than the Punjab and Bengal there will be reservation of seats for Muslim minorities on population basis with the right to contest additional seats ;

(c) in the N. W. F. Province there shall be similar reser-

vation of seats for non-Muslims with the right to contest other seats.

IV. Reservation of seats, where allowed, shall be for a fixed period of ten years. *Provided that the question will be open for reconsideration after the expiration of that period if so desired by any community.*

#### *Redistribution and status of provinces*

V. *Simultaneously with the establishment of Government under this constitution Sind shall be separated from Bombay and constituted into a separate province.*

*Provided*

- (1) *after an enquiry it is found*
  - (a) *that Sind is financially self-supporting, or*
  - (b) *in the event of its being found that it is not financially self-supporting, on the scheme of separation being laid before the people of Sind with its financial and administrative aspects, the majority of the inhabitants favour the scheme and express their readiness to bear the financial responsibility of the new arrangement ;*
- (2) *that the form of Government in Sind shall be the same as in the other provinces under the constitution ;*
- (3) *that the non-Muslim minority in Sind shall be given the same privileges in the matter of representation in the Provincial and Central Legislatures as the Muslim minorities are given under this constitution in areas where they are in a minority.*

VI. The N. W. F. Province, *Baluchistan*, and all newly formed provinces by separation from other provinces, shall have the same form of government as the other provinces of India.

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## SCHEDULE I

## CENTRAL SUBJECTS

1. Trade and commerce with other countries and in India and the incorporation of trading, financial or foreign corporations in India.
2. Taxation, excluding the taxation assigned under this constitution to the provinces or parts of them ; but including customs, revenue, excise, income-tax, super-tax, corporation profits tax, opium, including control of its cultivation, manufacture, and sale, export duties.
3. Bounties on the production or export of goods.
4. Borrowing money on the credit, the assets and the property of the Commonwealth ; the public debt of the Government of the Commonwealth.
5. Currency, coinage and legal tender.
6. Banking and insurance and savings banks ; the incorporation of banks and the issue of paper money and stock exchanges.
7. Bills of exchange, cheques, *hundies* and promissory notes.
8. Shipping and navigation, including shipping and navigation on such inland waterways as may be declared to be of national importance ; harbours, major ports, lighthouses, beacons, lightships, buoys.
9. Railways, and roads of all India and military importance.
10. Aircraft and all matters connected therewith.
11. Posts, telegraphs and telephones including wireless communications and installations.
12. The defence of India and all matters connected with the naval, military and air forces of the Commonwealth, inclu-

ding militia. Indian Marine Service and any other force raised in India other than military and armed police wholly maintained by the provincial government ; naval and military works and cantonments ; schools and colleges for military, naval and air training.

13. Foreign and external relations including relations with States in India and political charges ; domicile, naturalisation and aliens ; passports ; and pilgrimages beyond India.

14. Emigration and Immigration.

15. Post quarantine and marine hospitals.

16. The Commonwealth Public Services and the Commonwealth Public Service Commission.

17. The Audit department of the Commonwealth.

18. The Supreme Court of India, and legislation relating to High Courts.

19. Civil Law including laws regarding status, contract, property, civil rights and liabilities and civil procedure.

20. Criminal Law including criminal procedure and extradition laws.

21. Bankruptcy and insolvency.

22. Legislation regarding marriage, divorce and matrimonial matters, parental rights, the custody and guardianship of infants : their status and age of majority.

23. Copyright ; newspaper and books ; patent of inventions and designs and trade marks.

24. Land acquisition by or for the purposes of the Government of the Commonwealth.

25. Laws relating to registration of deeds and documents.

26. Laws relating to registration of births, deaths and marriages.

27. Census and statistics.

28. *Laws relating to the Control* of arms and ammunition.

9. (a) *Laws relating to the Control of petroleum and explosives.*

(b) *Laws relating to the Control of poisons.*

30. The standards of weights and measures.

31. Fisheries in Indian waters beyond the three miles limit.

32. Survey of India : geological survey and astronomical and meteorological observations.

33. Parliamentary elections.

34. The seat of the Government of the Commonwealth.

35. Inter-provincial matters.

36. Factory legislation.

37. Industrial matters :

(a) *Laws relating to the welfare of labour.*

(b) *Laws relating to the Provident fund.*

(c) *Laws relating to Industrial Insurance—General health and accident.*

38. *Laws relating to Control of mines.*

39. Medical qualifications and standards.

40. Stores and stationery for the Commonwealth.

41. Central publicity and intelligence department.

42. Zoological survey ; botanical survey ; archæology.

43. Central agencies and institutions for research (including observatories) and for professional and technical training or promotion of special studies.

44. Territorial changes, other than intra-provincial, and declaration of laws in connection therewith.

45. All property of the Commonwealth.

46. Legislation regarding forests.

47. Legislation relating to non-judicial stamps.

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## SCHEDULE II.

## PROVINCIAL SUBJECTS

1. Land revenue including assigned land revenue ; any other tax that may be imposed on land or agricultural income ; charges for water survey and settlement ; disposal and colonisation of public land and management of government estates.

2. Excise, that is to say the control of manufacture, transport, possession, purchase and sale of alcoholic liquor and intoxicating drugs (except opium), and the levying of excise duties and licence fees on, or in relation to, such articles and other restrictive excises.

3. All local taxation, such as tolls ; cesses on land or land values ; tax on building ; tax on vehicles or boats ; tax on animals ; octroi and a terminal tax on goods imported into or exported from a local area ; tax on trades, professions and callings ; tax on private markets ; tax on advertisements ; tax on amusements or entertainments ; tax on gambling : taxes imposed in return for services rendered by the local authority.

4. Land acquisition by and within the province.

5. Administration of forests and preservation of game.

6. Agriculture, including research institutes, experimental and demonstration farms, protection against destruction by insects and pests.

7. Fisheries, excluding Commonwealth fisheries.

8. Water supplies, irrigation canals, drainage and embankment, water storage and water power except where they involve a matter of inter-provincial concern or affect the relations of a province with an Indian State or any other territory.

9. Public works and undertakings, within the province including buildings, roads, bridges, ferries, tunnels, ropeways, causeways, tramways, light and feeder railways inland waterways and other means of communications except :

- (a) such railways, roads and inland waterways as are central subjects.
- (b) all such works as extend beyond the borders of the province.
- (c) such works (although wholly situate within the province) as may be declared by Parliament to be of all India importance.
- 10. Co-operative societies.
- 11. Development of mineral resources.
- 12. Famine relief.
- 13. Pilgrimages within India.
- 14. Local self-government including constitution and powers of Municipal Corporations, Local Boards, Village Panchayats, Improvement Trusts, Town Planning Boards and other local authorities in the province, and local fund audit.
- 15. Medical administration including hospitals, dispensaries, asylums, and provision for medical education.
- 16. Public health and sanitation and vital statistics.
- 17. Education, including universities and technical institutes, provincial institutions for professional or technical training and for promotion of technical studies.
- 18. Court of Wards and encumbered and attached estates.
- 19. Land improvement and agricultural loans.
- 20. Land tenures and landlord and tenant, rent law.
- 21. Administrator-General and Official Trustees subject to legislation by Central Legislature.
- 22. Development of industries, including industrial research.
- 23. Police, including military and armed police maintained by the province and Railway Police, subject in the case of Railway Police to such rules as may be prescribed by Parliament as to limits of jurisdiction and railway contribution to cost of maintenance.

24. Adulteration of foodstuffs and other articles.
25. (a) Control of vehicles, subject in the case of motor vehicles to legislation by the Central Legislature as regards licences valid throughout India.  
(b) Control of dramatic performances and cinematographs.
26. Prisons, prisoners and reformatories and vagrancy.
27. Backward tribes and their settlements.
28. Treasure trove.
29. Administration of justice in the province including the constitution, maintenance and organisation of courts of civil and criminal jurisdiction.
30. Election for the legislature of the province.
31. Legislation imposing punishment by fine, penalty or imprisonment for breach of any law of the province in relation to any provincial matter.
32. The borrowing of money on the sole credit of the province, subject to sanction of Central Government ; assets and property of the province.
33. Administration of the law relating to the registration of births, deaths and marriages.
34. Provincial law reports.
35. Minor ports.
36. Public libraries, except the Imperial Library at Calcutta ; museums, except the Indian Museum, the Imperial War Museum and the Victoria Memorial in Calcutta ; zoological and botanical gardens and registration of societies.
37. Pounds and prevention of cattle trespass.
38. Civil Veterinary Department including provisions for veterinary training, improvement of stock and prevention of animal diseases.
39. Factories, subject to legislation by central legislature.
40. Settlement of labour disputes.



41. Gas and electricity.
42. Boilers.
43. Smoke nuisances.
44. Housing of labour.
45. Coroners.
46. Provincial stores and stationery.
47. Provincial government press.
48. Provincial services and Provincial Services Commission.
49. The seat of the provincial government.
50. Control of elections subject to regulation by central government.
51. Fees, including court fees ; probate duties ; succession or estate duties.
52. Control of production, supply and distribution, subject to rules made by the central legislature.
53. Development of industries, subject to rules made by central legislature.
54. Religious and charitable endowments, subject to legislation by central legislature.
55. Regulation of betting and gambling, subject to legislation by the central legislature.
56. Prevention of cruelty to animals and protection of wild birds and animals, subject to legislation by the central legislature.
57. Non-judicial stamps, subject to legislation by the central legislature ; and judicial stamps, subject to legislation by the central legislature as regards amount of court-fees levied in relation to suits and proceedings in the high courts under their original jurisdiction.
58. Registration of deeds and documents subject to legislation by the central legislature.

59. Weights and measures, subject to legislation by the central legislature as regards standards.

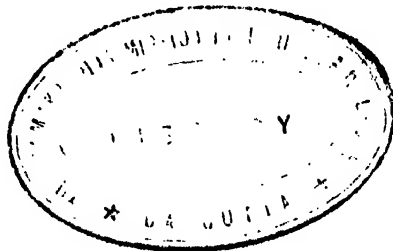
60. Control of poisons ; arms and ammunition ; petroleum and explosives subject to legislation by the central legislature.

61. Control of newspapers, subject to legislation by the central legislature.

62. Regulation of medical and other professional qualifications and standards, subject to legislation by the central legislature.

63. Local Fund Audit.

THE END











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